Supreme Court, U.S.
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No. _____

*In The*
*Supreme Court of the United States*

**Arkalgud N Lakshminarasimha**
*Petitioner*

**Federal Bureau of Investigations**
**Attorney General**
**Office of Presidency of United States**

*Respondents*

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**On the Petition for Writ of Certiorari**
**To United States Court of Appeals**
**For the Fourth Circuit**

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# Petition for Writ of Certiorari

**Wed Dec 29, 2010**
**(org. Nov 26, 2010)**

# QUESTIONS PRESENTED

1. Which court has jurisdiction in cases which involve FBI, office of presidency and Attorney General and can that court provide forum for a Jury Trial which involve both family and employment (and or life sustenance) related matters in organized harassment or crime scenario which is the subject matter of this petition for writ of Certiorari? Can Courts interfere with what ethical, common sense based, straight forward procedures a litigant can use to bring facts to the attention of the jury of a multiparty lawsuit where government is one of the parties, where family court, district court and federal court in the State of North Carolina has participated in obstruction of justice from getting a judicial resolution in a Jury Setting? Can Supreme Court provide such a relief?

2. Can a US court of justice -- family court, state or federal court conduct an Ex Parte, when there was no emergency, when accused person is in town at the same residence and was not contacted, using hearsay non verifiable comments as facts, accusing criminal intentions but using civil procedures restrict my constitutionally protected rights, severing the "priceless parent-child bond", refuse jury trial when one was demanded since parent child bond is priceless? Should the court have contacted me, per its own rule, since I was in town and in residence, since I had done nothing wrong as

verified by voluntary case withdrawal by plaintiff, if there was an emergency to verify facts from me, instead of conducting Ex Parte avoiding severing parent-child bond, avoiding infringing of my civil rights and undue implications? Does this court conduct not amount to abuse of Ex Parte and retaliation if courts continue to show disregard to concerns of the Plaintiff of federal case who was a defendant in family case and continue to violate constitutionally protected rights of equal justice under law, rendering justice impartially, equally to rich and poor, and other provisions of constitution, and if *FBI was notified*[1] by this time and have ignored my request will it not amount to negligence on their part?

3. After court informs both (all) parties that a case has been dismissed and closed after an Ex Parte[2] (Plaintiff of this federal case was in town, in the same residence) complaint, where plaintiff does not answer her complaint and does not participate in her own full trial that was ordered, but penalized party (plaintiff of federal case) does answer complaint and would have participated in ordered trial, can that plaintiff go back to try and open the dismissed case, after

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[1] When FBI was notified, both family court and state court of NC had abused their powers including obstruction of justice provisions.

[2] Plaintiff of this federal case was in town, in the same residence, there was no emergency, and would have come to court had he been notified per emergency court procedures, and there was no prior mediation

failing to try and open another civil case where a different judge has denied new complaint, and State[3] tries to criminalize the defendant (plaintiff of federal case) and fails in the interim? If defendants (FBI et al,) had been notified (FBI office and Laura Tripp, US attorney) of serious issues surrounding Ex Parte, conduct of State of NC family and district courts and issues surrounding reopening of dismissed case, did they do their constitutional duty, when the consequences these complaint were aimed at curtailing life, liberty and pursuit of happiness of Plaintiff of federal case? Did Federal Court in Raleigh, and US courts of Appeals in Virginia participate in obstruction of justice and denial in providing a forum in seeking equal justice in a Jury setting, and by denying my motion to seal?

4. What is the value of parent child bond? Can courts participate in severing parent child bond when one of the parents (plaintiff of the federal case) was in process of filing a significant value and damages complaint against multiple parties where one of the defendants would have been government and especially in a situation where conduct of court to provide equal treatment, use and evaluation of facts are in question? Can a court put a value of parent child bond and deny jury trial as required by the constitution when such a demand is made?

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[3] State of NC has participated in threat by not allowing me to take deposition from witnesses, obstruction of justice; fully knowing complaint was falsified did not pursue the case.

5. **Accusing of criminal intentions can one secure Ex Parte order, and then conduct hearings in civil settings, where it can be shown "there were no situation or intentions of wrongful conduct or emergency", and result of the Ex Parte order did have serious implications to the accused which far exceeds minimal criteria required for a Jury trial, and yet court denies a Jury trial request, where the accused can prove that participants of Ex Parte proceedings have falsified, and abused Ex Parte privileges? After that case has been dismissed, can that court continue to conduct hearing, when the accused who had intentions of filing a complaint prior to the Ex Parte, and was in process of discovery, and after the Ex Parte case had been dismissed files a complaint where conduct of court, participants of Ex Parte, and district attorneys office are part of overall federal complaint he has filed? If defendants of this petition of writ of Certiorari had been informed of the wrongful conduct of the Wake county family court, by failing to act, and the consequence of family court was aimed at not only penalizing the liberty but to prevent him from filing a complaint, and federal do not provide hearing even in emergency, deny motion to seal, does it point to "obstruction of justice" and tacit arrangement among defendants of this writ and did defendant protect the constitutional rights of Plaintiff of this federal case in a timely manner?**

**Additional relevant equally important questions are in Appendix, Section 4**

## PARTIES TO THE PROCEEDING AND CORPORATE DISCLOSURE STATEMENT

Plaintiff or Petitioner is a US Citizen.

Defendants or Respondents are Federal Bureau of Investigations, Attorney General and Office of President of United States.

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Plaintiff or Petitioner is partner of **United Business Systems, LLC** which is registered in State of Georgia, California and also Bangalore, India. Significant value patents have been filed by the petitioner with USPTO.

## Table of Contents


| | | | |
|---|---|---|---|
| 1 | Questions Presented | ..... | i – iv |
| 2 | Parties to Proceeding | ..... | v |
| 3 | Table of Contents | ..... | vi-vii |
| 4 | Petition for Writ of Certiorari | ..... | 1 |
| 5 | Opinions Below | ..... | 1 |
| 6 | Jurisdiction | ..... | 1 |
| 7 | Statement of Case | ..... | 2 |
| | • **Introduction** | ..... | 2-13 |
| | • **Detailed Background** | ..... | 14-38 |
| 8 | **Appendix** *Orders* | | O1-O8 |
| 9 | **Appendix** 4.1 Section1 Original Complaint | ..... | A1-A3 |

| | | | |
|---|---|---|---|
| 10 | 4.2 Section 2<br>Family Court Communications | ..... | A4-A6 |
| 11 | 4.3 Section 3<br>Writ for Certiorari – Supporting Document Details | ..... | A7-A18 |
| 12 | 4.4 Section 4<br>Additional Questions | ..... | A19-A30 |
| 13 | 4.5 Section 5<br>*Evidence 1*<br>Conduct of Government | ..... | A31-A33 |
| 14 | 4.6 Section 6<br>*Evidence 2*<br>Unequal Justice | ..... | A34-A44 |

## PETITION FOR WRIT OF CERTIORARI

Arkalgud Laksminarasimha, petitioner respectfully approaches Supreme Court to submit his petition for writ of Certiorari in the above entitled case.

## OPINIONS BELOW

A federal complaint **5:09-CV-375-FL** was filed in eastern district, Western division Raleigh, North Carolina. **Appendix - Orders (O1- O6)** contains relevant Court Orders; copy of original complaint is in **Appendix – Section 1(A1-A3)**. Defendants motioned the courts under subject matter jurisdiction to get the case dismissed. United States Court of Appeals for the fourth circuit upheld lower courts order, and denied appeal and motion for rehearing from Plaintiff. A per curium judgment was entered on June 23rd 2010, with an effective date of Sept 17, 2010 denying petition for rehearing while citing a local rule 40 (d) allowing Petitioner to file a Petition for writ of certiorari.

## JURISDICTION

Supreme Court being the highest court will have jurisdiction under the mandate of the Constitution, since nationally important issues related to Trust and Governance, Checks and Balances in a working democracy, obstruction of justice, unconscionable conduct of judiciary denying petitioner to show modus operandi in presence of organized crime where this case has gone unheard even once under dire conditions are being presented. Court jurisdiction is invoked under **28 U.S.C. § 1254(1) and/or local rule 40 (d)** for the fourth circuit.

## STATEMENT OF THE CASE

### Introduction

According to William Faulkner, "A man is the sum of his misfortunes". Thesis which is presented is aimed at illustrating in significant cases these misfortunes can be man made, and in a globally connected world of information age, it occurs by leakage and use of personal information with impunity and are caused by those who benefit by causing misery to unknown individuals. However one can connect the dots of instances of illegal conduct to identify causes and sources of these occurrences and use American Judicial system to bring them to justice, and prevent such events from occurring in the future, so that one could "pursue their intended pursuit of path to happiness" as assured in the constitution. But in process of connecting the dots, if "judicial system" itself, prevents one from showing to We The People, causes and sources of illegal conduct, what alternatives in a democratic society governed by the laws of the land, does one have? That is the question, this Petition for Writ of Certiorari poses?. List of questions related to this are presented in previous section.

This case is related to factors with interconnected links among a) Retaliation in the presence of wrongful conduct, complaint, discrimination or legal action one may take, b) Career management and control by employers, and job discrimination, c) Leakage and use of personal information with impunity which can be used for purpose of retaliation, financial gain during normal course of business, or situation specifically

created for purpose of extortion, taking advantage of minority or families with little support, d) presence and participation of attorneys, law enforcement , district attorneys and local courts, e) Non action by federal authorities when situations of unequal treatment, job discrimination, and numerous constitutional violations were brought to their attention which included , denying motion to seal to aid organized crime fundamentally destroying my case and justice, ignoring mistrial events.

While personal information leakage has occurred during employment discrimination by Tenneco where involvement of Boyce Engineering is there, it would take years later to discover this company's retaliation and use of personal information involvement during interrelated family, Progress Energy discrimination related issue. Family related events have occurred during EPRI/GE transition, later among GE / Progress Energy and Federal Government. It is during GE, federal government job on the job discrimination and job threat family related events have taken more serious turn.

Specific insurance scam extortion related has occurred involving my wife, and this has coincided with specific harmful courses given to my children and instances of patent violation sensitization events occurring at the same time. These have occurred soon after employment discrimination complaint with FAA, Progress Energy, NC State Univ, Pacific Gas and Electric and Pacific National Lab. It is during PNL lab interview timeframe I came to know that a Van Accident involving my wife in car accident had been

kept open, which I thought had been closed. It is during this time, NC DMV has collected too much personal information. Airtran has cancelled my flight tickets without authorization, and neither FAA nor FBI has responded.

The timing of the family complaint and preferential treatment courts have given to my wife, and conduct of law enforcement is solely to threaten me and prevent me from filing legal complaint. It is in the backdrop of those who are meant to protect constitutional liberties are using the system instead to threaten and take my liberties, at the cost of my life, integrity and my own relation to my family and kids.

During this process of unusual experiences those issues related to national origin, religion, and age also has come about. Preferential treatment my wife has received, and sensitization, callous disregard of some of these instances of my wife shows all these are occurring at some cost of serious consequences to what my children will perceive as good conduct, good citizenship and what they may think of their own parents when they may have done nothing wrong.

When my intentions are clear, court procedures are preventing me from seeking and getting timely jury based justice. Job discrimination has prevented me from financial security and family and North Carolina courts have prevented me from peace, tranquility and happiness by controlling my family life and relation with kids, by rendering unequal treatment and justice.

Plaintiff of federal case which has resulted in this Writ of Certiorari is Arkalgud N Lakshminarasimha (**Simha**), a US Citizen and national. All known parties are US citizens and nationals to the best of my knowledge and information. Background of relevant cases is as follows:

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| 1 | **07-CVD-11248**<br>**Wake, NC**<br>Murthy vs<br>Lakshminarasimha<br><br>(Court<br>Communications<br>In Appendix 1)<br><br>a) Communication of | Civil Case filed in July 2007 by Chitra Murthy wife of Plaintiff of federal case Simha .<br><br>Information related to the status of this case is in Appendix 1. After not answering to her own complaint, not participating in trial court ordered in a timely manner, and seeking voluntary dismissal, the court informed both parties case has been dismissed and closed.<br><br>Falsification of Facts, Abuse of Ex Parte, and Conduct of Judge Sasser is subject matter of Federal Complaint and Organized crime. FBI and Laura Tripp US attorney have not helped in a timely manner and is Subject of Federal |

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| | | Case.<br><br>On Oct 13, 2008, Lakshminarasimha wanted to consolidate the case into State Case, 08-CR-40557, where State tried to incriminate him. But the case got dismissed without being heard. FBI is liable for not helping to resolve the issue, and subject of federal case. |
| 2 | **08-CVD-13561, Wake, NC**<br>**Murthy v Lakshminarasimha** | Civil Case opened by Chitra Murthy as a Pro Se in July / Aug 2008. According to case coordinator, Ms. Brown, Judge Greene had denied Murthy's request. This is the only open, unheard case. |
| 3 | **08-CR 40557, Wake, NC**<br>**NC State v Lakshminarasimha** | State tried to incriminate Lakshminarasimha with a falsified lawsuit in July 2008. Officer Kerr and did not appear even under subpoena, Jim Ferguson, fully knowing falsification of facts by Cary law enforcement, and existence of civil case, has provided |

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| | | preferential treatment to Chitra Murthy, and sought dismissal without giving opportunity to be heard, therefore participant in unethical conduct and obstruction of Justice. The state of NC and family court are party to organized crime. FBI has not acted in a timely manner and is party to federal lawsuit. |
| 4 | **5:09-CV-375-FL (NC federal) Laskhminarasimha v FBI et al**<br><br>**Raleigh, NC** | By not conducting hearing in federal case even after 911 calls in emergency and are themselves party to legal complaint and appeal. Serious misconduct of courts in NC even in the presence of organized crime and FBI's non responsiveness and unequal treatment of many corporations and government is matter of federal case. |
| 5 | **Appeal Court Ref No. 09-2276 Lakshminarasimha v FBI et al**<br><br>**Virginia court of Appeals.** | Case has gone unheard in Richmond, Virginia. Per curium order Judgment. **They have cited Local Rule 40 (d) so that I can take it to Supreme Court.** |

A copy of federal complaint filed is in the appendix, section 1. Federal district court in Raleigh dismissed the case under subject matter jurisdiction provisions. United States Court of Appeals for the fourth circuit in Richmond Virginia concurred with this opinion of the lower court. Since every judicial issue has a judicial remedy under the mandate of the constitution, we believe Supreme Court can resolve the issue.

Defendants after making aware of instances of constitutional violations in the conduct of family, district courts in State of NC and other parties have not protected my individual rights of Life, Liberty and Pursuit of happiness and those related to seeking equal justice through constitutionally protected Trial by Jury. Courts and Dept of Justice have participated in obstruction of justice and have tried to cover up my case through Per Curium judgment process.

In a federal complaint FBI, Office of Attorney General and Office of Attorney General had been informed of unequal treatment, obstruction of justice and numerous constitutional violations such as i) denial of trial by jury, ii) equal protection guarantee to act faithfully to rendering justice impartially, to administer justice without respect to persons, equal justice to poor and the rich, chance to question or confront witnesses in a court of law, participated and aided obstruction of justice in local Wake Count, family court and district court in the State of North Carolina. After initial difficulty to lodge a complaint related to "organized crime" in federal courts in Raleigh, a 911

call was made on Sept 4, 2009. Neither law enforcement officers came to take down my complaint, nor were hearings conducted in federal courts. It is after considerable difficulty a federal case **5:09-CV-375-FL** was docketed in the eastern district of North Carolina, Western division. The case had been brought about when a history of continuous discrimination and threats of various kinds have occurred, which included General Electric, Dept of Defense, Progress Energy, US Patent and Trade Mark office among others, with a link of using Public Schools to first sensitize and create fear in Kids. Events surround threat and incrimination attempts by district attorneys office, non responsiveness by FBI and non-coincidental events point to involvement local schools, Progress Energy, State and Federal courts.

Case records show, motion to seal was denied resulting in permanent loss in outcome of "modus operandi related to organized crime involving employment, financial control, breaking of family, and use of individuals and family members to control life, liberty and future destiny of individuals or the very heart of protected rights of an individual where the very institutions We the People Use to seek Justice, the courts are playing a part" in curtailing liberty and preventing in getting justice.

Later defendants have used "subject matter jurisdiction" provisions to get case dismissed. This was upheld by US Court of Appeals for the Fourth Circuit in Virginia, under the Case **09-2276** which is consolidation of two cases. I have explained clearly in my briefs that the case involves witnesses (responsible

parties) multiple parties in multiple states and FBI is one of the defendants and the local courts have jurisdiction over them. Further, I have shown FBI has broad spectrum of responsibilities in their duty to protect constitutional rights of individuals, along with Office of President and Attorney General, and further, Office of President have tried to resolve a non-local involving a out of State law enforcement and a Professor, and I had brought to the attention of Office of President issues surrounding me for over one year earlier. Further, FBI including US Attorney Laura Trip had been notified of constitutional violations in the conduct of deliverance of Justice in Wake County family and State of NC district courts. The complaint is related to not just employment, family matters, but conduct of courts in deliverance of justice itself. It is Jury which determines what are facts, not the same group of three a Judge, attorney and their litigant who have falsified facts and abused Ex Parte privileges to seek and control an honest individual, and in doing so with full awareness and knowledge are aiding those I was planning to lodge a complaint against, which included federal government, local schools, corporations and government, participating knowingly with obstruction of justice. I also have filed objections and motions of injunctions related to family court's and NC court's right to conduct any more hearing based on events surrounding their conduct in breaking parent child bond, and obstruction of justice.

I believe federal courts are proper forum since parties who have participated in organized harassment and crime have spread across multiple states, and there are multiple organizations, corporations and individuals

who are responsible parties for these acts. Federal Bureau of Investigation, Attorney General and Office of presidency are accountable since issues related to gross systemic violations of constitutional guarantees where courts and federal government themselves are some of the parties to these acts Lack of accountability has lead to gross negligence of checks and balances among government organizations since this could lead to retaliations among various branches of governments from within if some one takes action, and this has resulted in me not getting timely jury based trial to resolve issues as established by constitution. One of the many links between family and employment matters is as a federal employee I had applied for remote work authorization till I could relocate to Raleigh, and as fact show we did move to Raleigh Link between Progress Employment, which is head quartered in Raliegh, NC and federal employee discrimination is also there as will be shown. But numerous events of harassment have occurred even as a federal employee, including job threat. Another is FAA and USPTO (Patent office) have deliberately denied employment. All these along with, circumstances surrounding Pacific National Lab (DOE), earlier events at GE various sensitization events and the timing of my wife's civil action point to multi state multiparty family employment issue related legal disputes. Another critical important matter is cancellation of my Airtran tickets and they have not responded, and I have filed an FAA complaint. Family lawsuit has been brought through ill intentions of many parties, including conduct of family and State NC district court themselves, and is subject of federal case.

As a proof, the federal case file shows office of Presidency has acted to help within two days request from Boeing Corporation and President has participated to help resolve later in a much publicized non-local domestic issue. I have provided argument when more serious systemic issues which affect millions of family and children are at stake and my case provides important information related to modus operandi of organized crime, the very institutions who have taken oath to defend constitution have not helped in a timely manner. Conduct of family courts and state courts are in question and are parties to numerous constitutionally protected violations including obstruction of justice, and their conduct along with others (Airtran, FAA, employment discrimination by many parties, on the job discrimination by federal government) is subject of federal case. At the time of making the emergency call, and filing federal court complaint, I contend that there were no cases active in the State of NC, those instances where family court has acted to make active, a dismissed case, I contend is subject of federal case, since there is presence of organized crime, and the State cannot act on their own conduct. Federal courts have not conducted any hearing even when I have made emergency (911) call. Federal courts have ignored motion to seal even when I have claimed existence of organized crime, fundamentally altering my case. Therefore I contend both federal and local courts are party to obstruction of justice.

This writ of Certiorari[1] shows that Dept of Justice is party to illegal and unconstitutional conduct by not providing me a forum to be heard even in situation of an emergency and their disregard to denying jury trial is solely aimed at covering up of facts aiding lack of accountability, nepotism and corruption. Recorded attorney-client privileged facts in 2006-7 in North Carolina and communication with Harry Berezin in 2008, in the office of Senator Feinstein shows that I have informed that Senator that there are systemic issues and must closely monitor and account all citizens monitoring activities and should freeze my files, so that government, corporations and accountable individual do not hide or destroy corruption, nepotism, organized crime related activity. I and my family have faced continuous sensitization, and harassment events. It is now certain sensitization and harassment were actually retaliation attempts to communicate and inform me of what I repercussion I would face if I seek legal action. ***Denial of constitutionally protected Jury trial*** to expose the conduct of multiple parties, frequency, nature and broad spectrum of attempts of harassment show that democracy and legal system and the checks and balances are just words and people of power and authority can do what they want, and there is no accountability. These and more detailed arguments are in case filed.

***I request justices to grant my petition for Writ of Certiorari, to provide a forum so that my***

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[1] Because of complexity of litigation, some issues appear to be repeated. However details will show this may be required to provide context.

***pleadings can be heard, and to provide relief sought.***

**Detailed Background**

In the backdrop of verifiable facts of discovery and consequential impending legal proceedings by the plaintiff of this Writ of Certiorari, on multiple parties (in more than one State) including federal government, Wake County Schools and Corporations a family lawsuit was filed against me in the Wake County, Raleigh, NC court. Because of leakage of attorney client privileged information where bank transaction data leakage has occurred and/or used, in the back drop complaint against local schools, auto insurance extortion events, and local corporation job discrimination by using wife and children, a family lawsuit was filed in July 2007 solely to prevent me from taking legal action. The case had been brought abusing Ex Parte procedures, violating of constitutional guarantees and making charges which can be proven to be false in a Jury trial. Facts will show there was no emergency or a need for Ex Parte, witnesses who were under subpoena were not present and jury demand had been declined during ten day return hearing. During ten day return trial and mediation all issues related to the case had been discussed and there were no unheard claims. When a full written response was submitted, neither attorney nor plaintiff (not me) responded to case and case was ordered for trial. But trial was not conducted since attorney who brought the case withdrew from the case and voluntary dismissal had been submitted by plaintiff of family case. During this entire process, I was treated unequally and it is my contention family court and the judge is party to illegal

conduct and discrimination. Soon after case has been discussed and closed family court, I was planning to take legal action on them, as I had originally intended (many parties which included local school). Further a federal matter had come about. Airtran had cancelled children's tickets brought by me. FBI (both local office in Raleigh and US Attorney Laura Tripp in Raleigh, NC) had been notified of this and illegal conduct of family court and representing attorney. A FAA complaint has been launched, since Airtran did not respond to my request in July 2007, again in 2008. This is a federal matter and subject of this lawsuit.

In a jury trial case will show, again after the family case had been dismissed, since I was continuing with legal action discovery, Cary Law enforcement and Wake County District attorney's office tried to incriminate me in July 2008. This has occurred after I contacted my prior attorney, and Senator Feinstein's office. Most serious offence of coming near residence, assault on my dignity and creating fear in my children who had already been sensitized through deliberate school course work has occurred. Case was not heard during first two trial dates and I was, but on the third trial date of Oct 13, 2008, when court ordered witnesses and subpoenaed (which I came to know later) law enforcement officers were not present . Since I was present, and the case got dismissed without trial, I could not take specific action I wanted to take. It is also my contention Jim Ferguson, District Attorney's office and family court knew my intentions of case consolidation, to ask questions of witnesses, demand jury trial, expose abuse of powers in Ex Parte. This has resulted in mistrial as well as Obstruction of justice

where both family court and district attorneys office have knowingly participated. In addition, prior to Oct 13th a threatening call has come from District Attorney's office preventing me to take deposition from my kids. What I did not know on Oct 13th was that Officer Kerr was not present even under Subpoena, and Cary Law enforcement had falsified facts, further even Justice Chasse ordered witnesses were not present. Fully knowing all these facts related to what family court and the State had done, District Attorney Ferguson did not continue with the hearing. These sequences of events point to some other factors other than the family matters have occurred. Unequal treatment, mistrial, obstruction of justice has occurred, and Jim Ferguson, and District Attorney's of Office in Wake County, NC have participated in this. It is my contention, that numerous events from giving specific course material to create fear in my children, Apartment Complex van accident are linked, conduct of Rachel Campbell and/or DA's office in Archstone Corner Stone apartment lease termination are linked to create fear and uncertainty. Chitra Murthy's conduct of taking kids and not returning, when there was no family situation for her to do that, are all aimed at forced family separation with aim to control my liberty and actions, and interfering with my judicial options amounting to Obstruction of Justice and mistrial. In fact, I had argued Chitra Murthy had performed the same acts, her complaint alleged even before my awareness of the family court complaint, when later facts show, I was fully innocent. Conduct of the local law enforcement officer who cut "my sacred thread", various implied incitement related issues with implications to India (EPRI, Hindu Bhavan, Vonage

proof I have filed in case file) provide links to religion and national origin discrimination. Additional details related to my visit as an EPRI (JA Jones) employee to a South Carolina Electric Vehicle research center in 1996/97 shows events related to church/state separation.

As of Oct 13, 2008, both family case and the State of NC case where I was defendant had been dismissed. It is when the state learnt that I was planning to continue with legal action when I contacted FBI, where both family court and State of NC are parties to legal action, in addition to earlier parties, the family court tried to "reopen a closed family case" with Debra Sasser. It is the contention of this document to highlight, Debra Sasser and new attorney Helen Oliver have tried to falsify facts and have used selective information, since they can do so without a Jury, but I had already filed a complaint against them, earlier attorney Rachel Campbell, Jim Ferguson, District Attorneys office and Family court with FBI.

It is my contention that both family court and district attorneys office have given preferential treatment and/or perhaps immunity of some kind to my wife, to bring a falsified lawsuit so that control my finances, job and my family. Progress Energy and Wake County schools are party to this illegal conduct and have violated my constitutional rights

Many parties including attorneys, government and corporations are using family court and district attorneys office to threaten those who bring legal action against schools, corporation or government which is

nothing but obstruction of justice and organized crime. FBI's inaction when I contacted them may point to, use of information to trade benefits, instead of taking action to protect my rights. Therefore one must closely examine conduct of Dept of Justice in their role in delivering equal justice, and unequal treatment, issues related to conduct of DOJ has serious consequences if government can deliver and implement checks and balances. Peoples discontent, loss of Trust point to conduct of DOJ and role of news media. Separation of church, state, news and business with Accountability are required for checks and balances to work.

Soon after contacting FBI, family court tried to reopen a closed case using falsified facts, so that I could not pursue legal action. During this time, again, Progress Energy has again discriminated in hiring, including collecting detailed personal information through which they can discriminate based on age and many other factors Involvement of District Attorney's office and schools in this process is there as it will be shown in Jury trial. Further, US Patent and Trade Mark Office (USPTO) has discriminated indicating I do not qualify based on qualifications and again confirming over phone that. I have informed Navair (DOD) my previous employer of this, since they have verified my qualifications as part of my having worked there. I even have provided proof of this which is in case file. Navair / Nawcad / DOD are party to legal action because of unequal treatment, retaliation, serious work place intrusion and data threat. There is another aspect to USPTO discrimination. While USPTO did not respond to one of my patent filing, European patent office has approved a patent. Issues related to my

patent submission, evaluation and discrimination is also in case file.

Request for my Remote work authorization till I could relocate to Raleigh from Dept of Defense, my federal employer, Progress Energy who had discriminated in my job in 2002/3, and unequal treatment by federal employer and retaliation by federal employer, Progress Energy where family lawsuit becomes a cover-up in organized crime will be shown. Using US navy link with GE, FAA, DOE, USPTO Progress Energy organized harassment and crime scenario will be shown in Jury trial. Wake County Schools, Family Court and district court in the State of NC in order to cover-up illegal acts have created fear to my children in School, and are conducting non-jury trials using falsified and/or non-verifiable facts to control finances and family and thus ***control my liberty and destiny***.

When an emergency 911 call was made on Sept 2009 was made no hearing was conducted solely to prevent me from taking legal action against family court and State of NC, and FBI themselves may be party to organized crime. This resulted in federal complaint which was filed in Raleigh, NC when I have informed existence of organized harassment and crime, motion to seal was declined. This has been done solely to aid parties who are discriminating and parties to organized crime, and therefore FBI and DOJ are parties. By declining my motion to seal, DOJ has also participated in obstruction of justice, along with family court and District Attorney's office.

Jury trial is needed to verify facts because of significant implications of deliberate forced family separation aimed at destabilizing family through control of liberties, life sustenance and finance. Court must recognize "parent child bond" is priceless, and severing parent child bond, forcible removing checks and balances of family life needed for well being, proper perspective and outlook is out utmost importance. You cannot bring family separation through falsified claims, and then those who falsify to get access to children will be letting them interact with undesirable elements and atmosphere. Since family separation has come about when numerous sensitization, harassment, unequal treatment and employment discrimination events the same jury should see overall sequence of events to ascertain facts. Loss of salary, use of business ideas and patents itself will be tens of millions of dollars. You cannot put a value on severing parent child bond, conduct Ex Parte using falsified complaint. Then a judge, person who brought the complaint and her attorney, three who have already decided what the facts are, will not change the ruling. Again, if this Ex Parte proceeding itself had been brought as a retaliation attempt when the other party (defendent) had contemplated legal action on multiple parties, one will not get fair justice. Judge has denied Jury trial, since her own courts serious unconstitutional conduct will be exposed.

Civil case was initiated during a period when I had numerous interviews, and employment discrimination for which I had filed a civil rights complaint with FAA and job complaint with progress energy. During this time a number of school related events, *an accident*

*involving my wife* with serious implications where Insurance companies and extortion related events have occurred. I was planning to take legal action on parties responsible for employment discrimination which included Progress Energy, and circumstances surrounding organized crime involving, Insurance, attorneys, local law enforcement and school related courses which were aimed at creating fear in kids, since a long term hidden pattern was emerging.

It has now become apparent that long term events of involvement of attorneys, local law enforcement, DAs office, family court of using parents (in my case wife) and kids of family members of certain class and type of people, and sensitization rendition events are aimed conveying and instilling in mind a message of retaliation and consequences of what could happen if legal recourse is taken.

Case material shows a pattern of preferential treatment law enforcement, department of justice and court has shown to my wife. Many of sensitization and unusual action from my wife has occurred when serious at work employment issue has come about as will be shown in Jury trial, this was the case for example when son went missing in 1996/97, when my wife was left with broken leg, when my wife left van in the side of the street and leaving, to the way my van got sold without my permission. Certain more serious doubts the way my wife's sister has passed away may have link with certain obligation of some kind of my wife, and is expected of her

On the job discrimination has occurred at Electric Power Research Institute (EPRI), General Electric (GE), and Navair, NAWCAD (Naval Air Warfare Center - Aircraft Division). Serious job hiring discrimination by FAA, NASA, Patent Office, Progress Energy (local wake county office), Pacific Gas and Electric and others can be shown. Further civil case has come about after significant employer and employment discrimination had occurred which include federal employers and after I had gone to see an attorney (this fact has been shared with US court of Appeals in Virginia).

In the State of North Carolina family court and district court in Wake County, state of North Carolina has discriminated against me. It is matter of record and can be shown serious constitutional and legal violations have occurred against me using falsified facts to secure Ex Parte Procedure to first separate family, and use Parent child relation as a threat so that I cannot take legal action immediately. This scenario is exemplified by the fact soon after the family court complaint got dismissed, when I continued with legal action discovery, State of NC tried to incriminate me. I had contacted the attorney in the interim again.

Soon after the cases had been dismissed conduct of family court and district court was in question, since I had contacted FBI. A complaint with Airtran had been filed, and since they have not responded, FAA complaint has been filed. Airtran has violated my constitutionally protected rights and is party to my federal complaint. There is link among Airtran complaint, an accident involving my van when my wife

was using it and what they have done, Wake county school events, deliberate apartment lease termination, and unequal treatment by Cary law enforcement, family and conduct of district courts in North Carolina and many other parties. Many parties have used family and district courts to harass and do serious harm -- physical, financial, reputation and emotional. This includes Progress energy, local schools and events at EPRI, GE and federal employment.

Dept of Justice by not providing proper timely jury trial is only aiding those who can benefit and gain from financial loss to the tune of tens of millions of dollar of denying me employment, use of business and patent ideas, unequal treatment at work place. This does not include the severing of the parent child bond, suffrage me and my family have faced. total change in the thinking and outlook of my children. Further local schools, NC law enforcement and family court have ruined my reputation, and assaulted on my dignity, changed the character and outlook of my children. The timing and motivation of family lawsuit has totally changed the plans that I had, and my life for ever as documented in the case file that I was not able to reside, vote, work and may even not be included in Census Bureau database properly because of uncertainty in the conduct of dept of justice.

It has already been proven in my family court case written response documentation where I was defendant, that when no response was received the complaint a trial was ordered, and litigants withdrew and sought dismissal to their Ex Parte lawsuit. It is the firm conviction of the Plaintiff of this Writ of Certiorari

that this Ex Parte order had come about as a retaliation motive when he was planning to take legal action on multiple parties which included both Progress Energy and Wake County schools, federal government and others[2], harassment attempts were aimed to prevent me from taking legal action. Later attempts to incriminate him by the State of North Carolina had the same motive.

On Oct 13 2008 when I was planning to consolidate cases since there was an unheard civil action complaint again filed by Chitra Murthy which had been declined by Justice Greene per case coordinator, the State Case was dismissed without proper hearing, fundamentally altering the course I needed to take. At that time Chitra Murthy had dismissed her complaint she had filed with Judge Sasser. Chitra Murthy who had dismissed her case, and did not answer case in a timely manner, and her attorney withdrew and later using a separate attorney Helen Oliver and Debra Sasser without proving facts in a Jury trial setting, after the case has been dismissed, are trying to use a "falsified counterclaim to keep the case open, so that Debra Sasser can do what she wants". Prior to this on Oct 13th had there been a hearing as required by law, in which State had filed a false complaint, I would have and intended to consolidate all cases and sought jury trial. The NC DA Jim Ferguson knowing all this dismissed case without hearing. I have informed of all this to FBI and US Attorney Laura Tripp and they have not cared. *I have filed legal complaint on FBI since they could have taken legal action on family and State Court and they have not. Later neither Attorney General nor Office*

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[2] list of litigants is included later, in Tabe 1, Page

*of Presidency has taken legal action. There is no accountability.*

I plan to show in a jury setting FBI, Attorney General and Office of Presidency that family court and State of NC have participated in many constitutional violations and have infringed on my rights, and when FBI was contacted they did not take action.

Until a federal court rules on the conduct of family court and the state of NC, Wake County, NC state or NC courts cannot legally conduct hearings on family or any matters till decisions related to family court and State of NC are made. **I have filed a motion of injunction against any orders which are active and have been issued from Wake County, Raleigh, NC courts. Relief from federal court has been sought.** If federal courts can provide family related relief, then there is not need to go back to family court in NC to get another hearing there.

Denial of Jury trial has prevented me to timely judicial remedy and from identifying organized crime participants which amounts to Obstruction of Justice which is a constitutional violation. This has occurred in family courts, state courts and federal courts. I could have shown facts surrounding motivation of giving specific School Courses to children, Sensitization events, falsification of facts and many other facts of family court, and district attorneys office which are constitutional violations. Attorney General or Office of President or FBI has not helped me to protect my constitutional guarantees since true checks and balances are not working as it should in a democracy.

When no hearing was conducted even after an emergency 911 call, a federal complaint was filed. Motion for seal was denied even when I have claimed retaliation and organized crime. It is my contention, that in a constitutionally protected jury trial I would have proved, DEFENDANTS could have identified:

- DOJ and courts have participated in violations of constitutional protected guarantees of a) trial by jury, b) equal protection guarantee to act faithfully to rendering justice impartially, c) to administer justice without respect to persons, d) equal justice to poor and the rich, e) chance to question or confront witnesses in a court of law, f) participated and aided obstruction of justice, g) by denying motion to seal have aided organized crime fundamentally destroying my case and justice, h) have ignored mistrial scenario

- Possible reasons why DOJ, office of presidency and attorney general have not helped or taken action are because fundamental checks and balances are just statements meant for beneficial gain for some, and not all, and are not put to practice for WE THE PEOPLE

- Federal courts have not given me an opportunity to be heard in court even when there was (and still is) emergency, motion to seal, and jury trial have been denied, since it opens up domino effect ramifications, and therefore they party to unequal treatment.

- A scenario of long time hidden attorney, law enforcement, organized crime network where by giving preferential treatment to my wife, and slowly sensitizing my children to control minority family.

- Modus operandi of organized crime and extortion scenario where schools, employers, attorneys, local law enforcement, family court, realtors and insurance companies are participants. There is a critical link to extremely sensitive school courses had been given where there is link to auto accident and extortion related possible scenario among others and is an organized crime.

- Rachel Campbell, Helen Oliver, Debra Sasser, family court in whole or in part have exaggerated and falsified facts to conduct Ex parte hearing, and using falsified facts have participated in curtailing constitutionally protected liberties, ruining my reputation and severing parent child bond.

- During the process of trying to open a dismissed and closed case, and in trying to show "a counter claim" exists, Helen Oliver, and Debra Sasser have falsified and used selective information, and denying jury trial since it shows their mistake and therefore party to obstruction of justice and organized crime. They cannot rule on their own conduct, a motion for asking her to

vacate the case had been made and is subject of federal case that I have filed.

- Further, obstruction of justice has occurred on more than on one occasion. Here are three example, Ex Parte was brought about when I was contemplating legal action against Wake county schools and others, On Oct 13th State of NC did not conduct ordered hearing, neither Justice Chasse, Jim Ferguson, nor ordered witnesses, and subpoenaed law enforcement officers (officer Kerr and others) were present, and I did not know what was going on, and I intended to consolidate family case and the State case, then Neither Helen nor Debra Sasser would not have had counter claim opportunity (which did not exist to begin with), further in July of 2008, just before going to post office, I had informed Chitra Murthy I plan to lodge a complaint on her, because of her conduct, but either State on their own or using Chitra have brought a falsified complaint. **All these factors amount to obstruction of justice and numerous constitutional violations by many individuals and parties, and is subject of federal case.**

- Chitra Murthy either acting alone, or having been forced to during Ex Parte process have been used by attorneys, family court, schools, local law enforcement and district attorneys office to get separation, as it has already been proven in my written response report to her complaint,

which she did not respond and did not participate in timely jury trial of her own complaint. On two occasions she is participant to incitement and obstruction of Justice.

- Chitra Murthy may be a hidden participant all along in many family related events including my son who had gone missing for several hours. For many years she may have been used to control options or choices I would have made through attorney, law enforcement network of Extortion or through her University Alumni network. Immigration – Law enforcement link which uses family member scenario will be shown to Jury in this modus operandi.

- Formal checks and balances in a family have been forcibly altered, and priceless parent child bond has been severed, irreversible irreconcilable damage to my relation with kids has occurred, by not providing a jury trial.

- Airtran had cancelled airline tickets that I had brought to visit California with my children and they had cancelled tickets without my permission and knowledge. They have not responded to my request for explanation for more than three years, FAA complaint has been launched and they have not responded, either. FAA and Airtran flight complaint is part of my federal litigation complaint filing. If Rachel Campbell, family court or Chitra Murthy have participated in this cancellation, this amounts of

data privacy and constitutionally protected violations.

- Wake County schools have deliberately given sensitive school courses to create harm to the children, which has occurred prior to family lawsuit and I was intending to take full legal action after full discovery

- Officer Kerr, others in Cary law enforcement, Jim Ferguson of DAs office, State of North Carolina are participants of unequal treatment, harassment, obstruction of justice, and party to organized crime.

- Forced family separation, priceless parent child bond has been severed causing irreversible, irreconcilable damage, extortion related events have occurred

- Progress Energy has participated in employment discrimination.

- Ronald Taylor US Patent and Trade Mark Office (USPTO) has participated in employment discrimination

- USPTO have not treated plaintiff equally in their patent evaluation

- Federal Government as an employer has participated in serious discrimination, job threat.

- GE, EPRI, and other corporations have seriously mistreated plaintiff. (see table 1)

Therefore immediate relief sought and jury trial should be given to Plaintiff of this writ of Certiorari.

Here is list of responsible parties **almost all of them have been notified to file their response in Raleigh federal courts**. Government and courts may have more complete list, since some of the information is confidential.

| **List of Responsible Parties.**<br><br>**(only some issues are highlighted Jury Trial Provide More Detais)** |
|---|
| **1. Rachel Campbell , Attorney, Wake County, NC**<br>• Falsifying facts<br>• Not following Ex Parte Procedure<br>• Not contacting and notifying me during Ex Parte<br>• Perhaps involved in Archstone Corner stone lease termination events and mail related issues. Trying to prove I was not in town or at the same residence (perhaps with intention of falsifying facts again).<br>• After creating family threat, not coming to mediation when family threat had been created, informing about settling out of court just minutes before ten day return hearing<br>• Data privacy Violations |

- Extortion demands
- Perhaps participated in illegal Airtran cancellation .
- May have participated in illegal conduct for months before my awareness of family suit
- One of the likely parties related to mail related issues.

**2 Chitra Murthy, Plaintiff of family Lawsuit**

- Taking children and not returning, creating incitement (Prior to my knowledge of Ex parte)
- Not informing court that I was in town and same residence during Ex Parte, and soon after Ex Parte when I was not aware of this, not telling court I was taking care of her, since she got sick. Not informing, she was sick because of family related issue she brought on herself to create separation scenario, without informing of her actual motivations.
- By actually doing what is alleged in Ex Parte
- Falsified family compiaint
- Making children lie, not informing about mediation where all issues had been discussed.
- Not bringing children during ten day return trial July 2007, to deposition Aug/Sept 2008, and when Justice Chasse ordered kids to be present on Oct 13th, 2008

**3 Helen Oliver, attorney, Wake County, NC**

- Knowingly falsifying facts, selective information
- Falsifying "Counter Claim" data
- Participant in Obstruction of Justice

**4 Progress Energy**

- Job Hiring Discrimination from 2002-2009
- Gathering highly confidential personal information which can be used to discriminate

| |
|---|
| • They may be party to organized harassment and crime along with DA's office, GE, federal Govt<br>• Mailing letter to address not shared (data privacy violation), which proves they have accessed some other data as well.. US Postal Service should have proof of this delivery since this was registered mail, and also related to interview expense check. |
| **5 a) Pacific Gas and Electric, b) Northrup c) Grumman, d) Honeywell**<br>• Job Hiring Discrimination |
| **6 Boyce Engineering, Electric Power Research Institute, General Electric**<br>• Retaliation and on the Job discrimination,<br>• Data privacy violation and other.<br>• EPRI job hiring discrimination (later, retaliation event related to church / state at DOE funded center)<br>• National origin discrimination<br>• GE – Placement, Discrimination, Bad Emails etc. |
| **7 Bank of America, Intelius, Choice point, Airtran**<br>• Data privacy violation and related matter<br>• Airtan for cancellation of airline ticket for my children without authorization. Not responding for over two years. |
| B. Government |
| **8 FAA**<br>• Not responded to Airtran complaint<br>• Numerous job discrimination, even when I can bring significant value |
| **9 Navair, NAWCAD, DOD**<br>• On the job discrimination<br>• not approving remote work authorization when there was family need |

| |
|---|
| • significant data intrusion<br>• unequal treatment<br>• job threats, putting nail in tire<br>• not informing and providing proper options when I could not relocate<br>• not informing about reinstatement eligibility |
| **10 FAA, NASA, USPTO, Pacific National Lab (DOE)**<br>• Job hiring discrimination. |
| **11 Ronald Taylor, USPTO**<br>• Job Discrimination.<br>• Taking personal and verifiable data, which proves my superior educational qualifications,<br>• Indicating I do not have masters degree, when I do.<br>• Degree proof was there in Applicationmanager.gov, documentation proof filed in court |
| **12 USPTO**<br>• Unfair patent evaluation process and result of evaluations.<br>• Making job application material public |
| **C. DOJ (State and Federal)** |
| **13 Federal Courts in Raleigh and Court of Appeals in Virginia**<br>• Not providing opportunity to be heard to clarify,<br>• And not providing hearing even after when 911 emergency calls had been made. |
| **14 Debra Sasser, Family court, Wake County, Raleigh, NC**<br>• Abuse of Ex Parte Powers,<br>• Not conducting fair trial,<br>• Use of Selective Information, |

| |
|---|
| • Not providing Jury trial<br>• Falsifying facts to keep case open even after advisement,<br>• Not vacating case when she and family court is party to legal action.<br>• Constitutional guarantee violations<br>• Participant in organized crime |
| **15 Jim Ferguson, District Attorney, Wake County, Raleigh, NC**<br>• Did not take action and provide me with an opportunity to be heard when Justice Chasse ordered witnesses to be present and law enforcement officers under his own subpoena were not present.<br>• Knowing State has issued a falsified lawsuit, did not provide me with an opportunity to be heard and take action on family court, since they are party to violations of constitutional guarantee.<br>• Party to organized crime since he has tried to bring falsified lawsuit on me, fully knowing unlawful conduct of family court, to aid those parties I was planning to take legal action which include Cary law enforcement, Progress Energy, and Wake County Schools. He is party to coordinated calling events also. Also may be the party to ask some one to call and make me cancel deposition from kids.<br>• One of the likely parties related mail related issues. |

**16 Cary Law Enforcement, Officer Kerr and others, Mr. Lampert**

- California Law enforcement
- For bringing falsified lawsuit, not taking proper action, perhaps there is involvement with them, District Attorney's office and they may have contacted my children and wife illegally, and may have falsified information
- Deliberately giving me a ticket, under coordinated calling circumstances..

**17 Davis Drive Elementary, Davis Drive Middle School, Green Hope High School, Wake County, NC**

- Both Elementary and Middle School have given deliberate extremely harmful courses to instill bias and fear in children.
- Green Hope has not followed instructions related to the need of taking permission from both parents.
- Wake county schools, Cary law enforcement, DA's office along with attorneys and family court may be party to organized crime.

**18 FBI, Office of Attorney General, Office of Presidency, Laura Tripp, Federal district attorney**

- Did not take action and provide timely help when illegal conduct by family court and district attorneys office was explained to her in detail, including multi state, multiparty activities.

**19 Supreme Court**

- Deliberately mailing information not belonging to me just to create association, insinuating etc.

**20 NC DMV**

- **Deliberately taking signature on blank paper**

## Others

**There are other parties who may be participants, and they will be called during full trial.**

**21 US Postal**

- **Keeping an opened mail related to PACER online court filing system which had private information about user id and password.**
- **Not delivering mail (holding and then delivering**
- **Data privacy intrusion which has occurred as a federal govt employee..**
- **Patent and funding discrimination..**

**22 AT&T, Sprint , IBM health care provider**

- **Rates, communication, privacy violations etc. FBI has been notified of some of these.**

**23 Evaluation and Use of Business Ideas**

- **Unequal treatment in patent office (ex, relative European Patent)**
- **Patent infringement sensitization events**
- **Deliberately ignoring valuable ideas, Ex. Georgia Lottery Corporation**
- **Discrimination by many venture capital companies.**

## Other Relevant Core Issues

**While courts are providing forum for cases to be heard for example, No. 09-893 AT&T MOBILITY v CONCEPCION, my case is not being heard even when I have brought to the attention of the court, very serious nationally important issue which affect millions of people, just because I am a pro se. Issues related to**

AT&T and sprint is a small line item in my overall case. I also have shown how Office of Presidency has tried to resolve a non local issue, to help a friend. Frequency and nature of occurrence above shows these are systemic issues where there is rampant disregard for law and that government does not protect citizen's interest and t***hat all people are not treated equally***. Section 4 in appendix provides additional questions related to this case and core issues of governance, checks and balances in a functional democracy. Conduct of government and its effect are summarized in section 5 and factors related to unequal justice, Supreme Court makeup and consequences are explained in section 6.

## Relief

Relief related to family and employment is sought.

Relief to Issue an order of injunction against North Carolina family court order is requested.

Relief to get Freedom of Information act report is sought.

## Damages

Direct and indirect damages which have occurred to systemic discrimination from employers, government and non government entities, family court, wake county schools, and State of NC. Significant financial loss related to unequal treatment related to preventing me from trying alternative life sustenance mode through use of intellectual property and business will also be claimed. More details related to this will be filed.

# Appendix

## Table of Contents


| | | | |
|---|---|---|---|
| 1 | Orders | ..... | O1-O8 |
| 2 | Section 1<br>Original Complaint | ..... | A1-A3 |
| 3 | Section 2<br>Family Court<br>Communications | ..... | A4-A6 |
| 4 | Section 3<br>Writ for Certiorari –<br>Supporting<br>Document Details | ..... | A7-A18 |
| 5 | Section 4<br>Additional Questions | ..... | A19-A30 |
| 6 | Section 5<br>Evidence 1<br>Conduct of<br>Government | ..... | A31-A33 |
| 7 | Section 6<br>Evidence 2<br>Unequal Justice | ..... | A34-A44 |

## Appendix
## ORDERS

**Background for Order Presentation**

**A federal complaint filed in the federal court of the 5:09-CV-375-FL was docketed in the eastern district of North Carolina, Western division. Attorney Fesak, representing all defendants, motioned the courts under subject matter jurisdiction provisions to get the case dismissed. On appeal in the United States Court of Appeals for the fourth circuit in Richmond Virginia, a consolidated appeals docket was filed, with 09-2276 as lead (other being 10-1080). United States Court of Appeals concurred with eastern district of North Carolina opinion. A per curium judgment was entered on June 23rd 2010, with an effective date of Sept 17, 2010 citing a local rule 40 (d) allowing me to file a Petition for writ of certiorari.**

**Court Communications from Appeals court are reproduced verbatim below first. Next, Dec 2 2010 order from eastern district of North Carolina, Western Division which provides summary of all events up to Sept 17 mandate from Virginia court of Appeals are reproduced.**

**COURT ORDER COMMUNICATIONS**

**(Please turn to next page)**

O 2

**Submitted: June 17, 2010 Decided: June 23, 2010**

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

**No. 09-2276**

ARKALGUD N. LAKSHMINARASIMHA,
Plaintiff – Appellant,

v.

UNITED STATES (FEDERAL BUREAU OF INVESTIGATION); ATTORNEY GENERAL; OFFICE OF THE PRESIDENCY OF THE UNITED STATES,
Defendants – Appellees.

**No. 10-1080**

ARKALGUD N. LAKSHMINARASIMHA,
Plaintiff – Appellant,

v.

UNITED STATES (FEDERAL BUREAU OF INVESTIGATION); ATTORNEY GENERAL; OFFICE OF THE PRESIDENCY OF THE UNITED STATES,
Defendants – Appellees.

Appeals from the United States District Court for the Eastern District of North Carolina, at New Bern. Louise W. Flanagan, Chief District Judge. (5:09-cv-00375-FL). Submitted: June 17, 2010 Decided: June 23, 2010

Before MOTZ and KING, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Arkalgud N. Lakshminarasimha, Appellant Pro Se. Matthew Fesak, Assistant United States Attorney, Raleigh, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

**PER CURIAM:**

In these consolidated appeals, Arkalgud N. Lakshminarasimha appeals the district court's order dismissing his civil action for lack of subject-matter jurisdiction and the court's case management order directing the Government to respond to pending motions, setting a deadline for the Government's response to the complaint, and directing Lakshminarasimha to refrain from filing additional motions pending the court's review of and ruling on motions pending in his case.

While interlocutory when the appeal was filed, the district court's subsequent final order permits review of this order under the doctrine of cumulative finality. See Equip. Fin. Group, Inc. v. Traverse Computer Brokers, 973 F.2d 345, 347 (4th Cir. 1992).

Because Lakshminarasimha's informal briefs fail to address the district court's basis for dismissing his complaint and fail to raise any arguments relevant to the court's case management order, those issues have been abandoned. See 4th Cir. R. 34(b); Edwards v. City of Goldsboro, 178 F.3d 231, 241 n.6 (4th Cir. 1999). Accordingly, we affirm the decision of the district court. We also deny Lakshminarasimha's motions seeking emergency hearings, to seal, to amend the complaint, to expedite, to respond, for emergency reinstatement and access to his children, for additional time to submit an amended appellate brief, and for emergency and other relief.

We dispense with oral argument because the facts and legal contentions are adequately

presented in the materials before the court and argument would not aid the decisional process.
AFFIRMED

*FILED: September 17, 2010*

**UNITED STATES COURT OF APPEALS**
**FOR THE FOURTH CIRCUIT**

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No. 09-2276 (L) (5:09-cv-00375-FL)

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ARKALGUD N. LAKSHMINARASIMHA, Plaintiff - Appellant v. UNITED STATES (FEDERAL BUREAU OF INVESTIGATION); ATTORNEY GENERAL; OFFICE OF THE PRESIDENCY OF THE UNITED STATES, Defendants - Appellees

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No. 10-1080 (5:09-cv-00375-FL)

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ARKALGUD N. LAKSHMINARASIMHA, Plaintiff - Appellant v. UNITED STATES (FEDERAL BUREAU OF INVESTIGATION); ATTORNEY GENERAL; OFFICE OF THE PRESIDENCY OF THE UNITED STATES, Defendants - Appellees

**M A N D A T E**

The judgment of this Court, entered 06/23/10, takes effect today.

This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.
***/s/Patricia S. Connor, Clerk***

O 5

Filed: September 20, 2010

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT
1100 East Main Street, Suite 501
Richmond, Virginia 23219-3517
www.ca4.uscourts.gov

## LOCAL RULE 40(d) NOTICE

No.
09-2276 (L),
Arkalgud Lakshminarasimha v. FBI
5:09-cv-00375-FL

TO: Mr. Lakshminarasimha:

We are in receipt of your papers in this case.
This Court's Local Rule 40(d) states that, except for timely petitions for rehearing en banc, cost and attorney fee matters, and other matters ancillary to the filing of an application for writ of certiorari with the Supreme Court, the Office of the Clerk shall not receive motions or other papers requesting further relief in a case after the Court has denied a petition for rehearing or the time for filing a petition for rehearing has expired.

Pursuant to the provisions of Local Rule 40(d), no further action will be taken in this matter by this Court. A petition for writ of certiorari may be filed in the Office of the Clerk, Supreme Court of the United

States, 1 First Street, NE, Washington, DC 20543-0001, within 90 days of this Court's entry of judgment or, if a timely petition for panel or en banc rehearing was filed, denial of rehearing. Additional information on filing a petition for writ of certiorari is available on the Supreme Court's website, www.supremecourtus.gov or from the Supreme Court Clerk's Office at (202) 479-3000.

Diane H. Burke Deputy Clerk 804-916-2702

(Please turn to next page for Dec 2, 2010 Order from Eastern district of North Carolina)

O 7

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH
CAROLINA
WESTERN DIVISION**

**NO. 5:09-CV-375-FL**

**Arkalgud N. Lakshminarasimha**

**Plaintiff**
**V**

**ORDER**

**United States (FBI)
Attorney General,
Office of Presidency of United
States**

This matter comes before the court on its own initiative where Pro Se plaintiff in this closed case continues to file materials with the court. By order entered Jan 11, 2010, the court granted defendants motion to dismiss plaintiff's claims in their entirety. The court's judgment was entered on Jan 12, 2010, and the case was closed. On Jan 15, 2010, plaintiff appealed the court's judgment to the Fourth Circuit. The Fourth Circuit affirmed this court's judgment on June 23, 2010, and denied plaintiff's petition for rehearing on Sept 9, 2010. The Fourth Circuit issued its mandate on Sept 17, 2010.

Since the denial of plaintiff's petition for rehearing and entry of the Fourth Circuit's mandate, plaintiff has continued to make filings in this case which is closed.

Plantiff's filings lodged at docket entries 96, 97, 98, 99 and 100 reflect various requests for emergency relief, injunctive relief, among other things. To the extent that any of plaintiff's filings since entry of the Fourth Circuit mandate raise any issues for decision, plaintiff is hereby reminded that the court cannot raise back up this action which is now closed. If plaintiff now seeks to bring new matters before the court, plaintiff must do so by filing a new complaint.

Where the case file is closed, the clerk of court is DIRECTED to dispense with taking into the record of this case any new materials.

SO ORDERED, this the 2nd day of December, 2010.

LOUISE W. FLANAGAN
Chief United States District Judge

(signed).

Signed and Embossed by Deputy Clerk for Dennis Iavaorone.

A 1

# Appendix

## Section 1

**Original complaint**
**Aug-Sept 2009**

**5:09-CV-375-FL (Fed Court Raleigh NC)**

**THE ACTS COMPLAINED IN THIS SUIT CONCERN**

Activities of more than one party will show a pattern of harassment, which could be deemed, organized or considered an organized crime against an individual. Even if in select scenarios or situations these acts may be considered separate or there is no link, but the intent and or purpose and goal seems to coalesce to be the same and/or similar.

More than probable motive, cause and intention of multiple parties, organizations, associations and individuals either through acting independently, or through tacit arrangement and/or agreements which may include local, state and/or federal government themselves including judiciary have created a situation of insecurity, fear and curtailment of civil liberties and life sustenance through various methods, sensitizations, employment and family control. Law enforcement has been given detailed facts, evidence, intent and possible modus operandi Evidence of mail and telephone tampering or mode of communication has also been provided to the federal government.

After providing hundreds of factual situations and specific issues, response from federal investigative agency can be considered grossly negligent. Delays may have actually hampered Plaintiff's case and aided parties responsible. United States has not taken timely action to protect the constitutionally protected rights of Life, Liberty and Pursuit of Happiness of the Plaintiff and has not brought responsible parties to justice in a timely manner.

United States has been informed of family security and fear. Plaintiff has not seen his family, nor has he heard from them, and further federal agencies have been provided details of obstruction of justice and falsification of evidence by the State of North Carolina and therefore Plaintiff cannot or does not plan to take action at local court. Since plaintiff neither has seen nor has he heard from his family, this constitutes AN EMERGENCY.

Emergency situation arises not only based on family, family security needs but also based on employment which evidence will show significant discrimination has occurred and yet government has not acted in a timely manner.

This case alleges gross negligence and delay of the United States to protect the constitutional rights, and Civil Liberties of one of its Citizens who happens to be a minority.

I therefore seek the following relief:

***An emergency jury based trial in a federal court.***

**Request for Motions**

A motion to seal or not make public certain evidence, material and/or investigation in process as may be shown by Plaintiff and/or Government

A motion for the government and/or a section of the government to represent Plaintiff if they elect to do so in those situations they are not party to the said allegations or make such a claim. This could be for example office of the president of United States, which is meant to protect the constitution and constitutional rights. However, if any section of government has taken an action to curtail civil liberties, then that group/or division cannot represent Plaintiff.

# Appendix

**Section 2**

**Wake County NC**

**FAMILY COURT COMMUNICATIONS**

---

**COURT INFORMING BOTH ME AND CHITRA MURTHY NO NEED TO COME TO COURT.**

***Stephanie.N.Taylor@nccourts.org*** wrote:
Date: Mon, 14 Jan 2008 10:56:29 -0500
To: Chi Mur <chimur70@yahoo.com>
From: Stephanie.N.Taylor@nccourts.org
Subject: RE:Courtroom schedule question 07-CVD-011248

Since you have dismissed your case there is no need for you or your husband to appear in court.
**********

Stephanie N. Taylor

1. **COURT ROOM SCHEDULE QUESTION FROM PLAINTIFF..**
2. **AFTER MEDIATION WHERE ALL POINTS HAD BEEN DISCUSSED, AND AFTER MY FULL WRITTEN RESPONSE.. (DIMISSAL HAS OCCURRED**
3. **HELEN OLIVER HAS FALSIFIED INFORMATION USING INTERIM REPORT AND NOT USING FULL CASE REPORT**

# Appendix

**Section 2 (cntd)**
**Wake County NC**
**FAMILY COURT COMMUNICATIONS**

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**COURT INFORMING BOTH ME AND CHITRA MURTHY NO NEED TO COME TO COURT.**

**From: <Stephanie.N.Taylor@nccourts.org>**

To: "arkalgud simha"
<arkalgud_simha@yahoo.com>

Cc:<Iris S Richardson@nccourts.org>;
<Natalie.C.Williams@nccourts.org>;
<Sandra.D.Cooper@nccourts.org>

Sent: Thursday, January 03, 2008 3:52 PM
Subject: RE:case closure:07-CVD-11248
The Voluntary Dismissal has been received. Your case is closed There is no need for you to attend the parenting class or to come to court.
**********

Stephanie N. Taylor

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1. **COURT INFORMING BOTH ME AND CHITRA MURTHY NO NEED TO COME TO COURT**
2. **PARENTING CLASS REQ WAIVED FOR DEFENDANT**

# A 6

# Appendix
## Section 2 (contd)
## Wake County Court Status Report

THE NORTH CAROLINA COURT SYSTEM

3:32 PM on Tuesday 5th February

Sign On > Main Menu > Open Cases > Case Search > Case Detail (Search)

Help Exit

WAKE CIVIL - WAKE
Case Number 2007CVD011248 (CLOSED)
Parties MURTHY CHITRA -VS- LAKSHMINARASIMHA ARKALGUD

Search 1 of 1

Events

Showing 1 - 9 of 9

☑ View by Date ☐ Max Dates Limit by Event All Events

Submit

| Event | Date | Time | Type | ToDo Date | Y/N | Notes |
|---|---|---|---|---|---|---|
| ◉ PE4 | 01/23/2008 | | CUSTODY | 01/23/2008 | YES | show cause for failure to attend PE4 for def only Plt attended 112907 [Remove TD] |
| ○ NOTE | 01/02/2008 | | DISMISSAL | | NO | Notice of voluntary dismissal of complaint by plt without prejudice |
| ○ EO | 12/07/2007 | | WITHDRAWAL COUNSEL | | NO | Campbell(plt) order to withdraw was allowed |
| ○ CMC | 11/06/2007 | | CUSTODY | | YES | mediation failed |
| ○ CMO | 09/20/2007 | | | | NO | both attended |
| ○ EO | 08/14/2007 | | CUSTODY | | NO | Order for emergency custody was allowed |
| ○ EO | 07/31/2007 | | CUSTODY | | NO | Order continuing ex parte order for emergency custody was allowed |
| ○ MOT | 07/30/2007 | | | | NO | 10- Day return on ex parte order for emergency custody Estimated time @ 1 hour |
| ○ EO | 07/19/2007 | | | | NO | Ex parte order for emergency custody was allowed |

Add Edit Delete

Issues for event PE4

Showing 1 - 6 of 6

☐ View Assigned Only Submit

| Issue | Description | Init Date | Close Date | Code | Assigned | Inactive | Notes |
|---|---|---|---|---|---|---|---|
| ◉ WDCN | WITHDRAW AS COUNSEL | 11/28/2007 | 12/07/2007 | GW | ☐ | NO | |
| ○ OTHR | EMERGENCY CUSTODY | 08/14/2007 | 08/14/2007 | GW | ☐ | NO | |
| ○ OTHR | EMERGENCY CUSTODY | 07/31/2007 | 07/31/2007 | GW | ☐ | NO | |
| ○ OTHR | EMERGENCY CUSTODY | 07/19/2007 | 07/19/2007 | GW | ☐ | NO | |
| ○ ATFE | ATTORNEY FEES | 07/19/2007 | 01/02/2008 | VD | ☐ | NO | |
| ○ CUST | CUSTODY | 07/19/2007 | 01/02/2008 | VD | ☐ | NO | |

View Timeline Assign/Unassign

Open Case Delete Case Quick Print Cross Reference Reports Set Filter Search Cancel

**Chitra Murthy did not schedule her own trial.**
**This report also does not include a mediation meeting had occurred All things had been discussed.**

# Appendix

## Section 3

## Writ for Certiorari

## Supporting Document Details..

I can show to the jury details of what has occurred in all of my jobs from Boyce Engg to federal government, why Progress Energy after screening and calling for onsite interview informed me later to only to inform me that job was cancelled, while this got reposted. Link to organized retaliation network scenario will be revealed. **The following provides details related to age, national origin, religion and retaliation as some of the basis of unequal treatment, career (an/or life) management and control, that I and my children (family) have faced.**

During 1995-97 some information related to Electric Power Research Institute (EPRI) job discrimination has been shared with US court of Appeals in sealed envelope. More details will be provided in Jury trial since this occurred in General Electric (GE) later, and further with Progress Energy. Events related to my son gone missing for several hours when we had gone to one of our friend's house, and soon after a negligence complaint had been given related to my son getting injured in day care. Soon after this Bright Horizon tried to implicate me later! I had been informed by Vice President and Director Boyce Engineering where I had worked earlier they have filed a legal complaint against this company. Some of the Tenneco Job discrimination information is in the federal case file. Either Tenneco acting on itself and/or Boyce Engineering may be party to data privacy use and job discrimination. These

earlier facts will later been shown to manifest itself as initial sources of retaliation.

During 1995-2002 both hiring related discrimination and more serious on the job discrimination had occurred at GE. After more serious events which include, unequal treatment in front of visitors, to not sharing information yet expecting me to work, producing and issuing organizational chart which has not been shared with me, to controlling work opportunity to deliberately sending most serious bad emails (non job related, not technical), not doing anything after informing about this to changing information (manipulation of data related to work assignment) when asking me to make decisions based on such information.

During 2002-2007 the following entities participated in discrimination. On the Job – Genera Electric, NAWCAD, Navair (DOD) discrimination. The following companies had participated in employment hiring discrimination, NASA, FAA, Progress Energy, Pacific Gas and Electric, Pacific National Lab I had left federal employment since I could not relocate to Washington area immediately, and had sought remote work authorization. When I left federal Government no information about reinstatement eligibility was provided, nor reason for declining remote work authorization request. I have received award of Excellence from Navair, after leaving federal government. Since more than two on site interview had several telephone interviews, and almost always I have got hired after one interview, I suspected something was not right and contacted Civil Rights officer and

had filed a complaint. Since unusual events occurred after Pacific Gas and Electric interview, and the very job I was selected to have been called for onsite interview kept getting advertised sometime after I had been informed that this was cancelled.

Boyce Engineering with whom I had worked in 1990-1995 had called me to chair a session in an American Society of Mechanical Engineers (ASME) Orlando, Florida. I had accepted only to find, the presentation was related to "negative product performance" of my previous employer, General Electric. I had taken steps to correct the wrong impression this may give, prior to going to this meeting. Again, when I went to Dept of Energy (Pacific National Lab interview) question related to bid among two major manufacturers had been asked, which was unethical the way it was posed, and numerous other factors including relation to my presentation with ASME (which I now know). In Pacific Gas and Electric interview I was even asked why do I need a jacket, and the interviewer came near me and made me remove the jacket which had never happened before. During this time events related to an auto accident for my wife, school bus and school course related which causes significant stress to kids had occurred. Sensitization events when I had taken kids to doctor's visit once with my son, and a patent infringement sensitization[1] (one which I had filed) when I had gone to see a doctor had occurred.

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[1] Mockingbird renditions of communication or trying to send a message we can do what we want but you cannot do anything about it, or informing we know about you ( ex: details of patent process), or what could occur to someone (for my son during doctors visit)

Discrimination has occurred in such a fashion where retaliation motive can be hidden, since there is a big network connection among EPRI, GE and many utility companies. Since both General Electric and federal government had participated in significant harassment (at work computer intrusion, including securing remote access to my computer with an actual event of typing words into my email message window remotely[2]) has occurred in work place environment, including job threat, putting nail in my tire etc.

Release of personal information related to my visit to IGTI (International Gas Turbine) meeting in Atlanta has occurred in 2003. Federal Government, IGTI or GE parties since all my prior employers including those who do not visit were there. Deliberate mocking situation have occurred here. As an initial basis for retaliation Bank of America has deliberately released my government credit card related and personal banking information soon after leaving federal job, a letter of apology had been sent. This has not occurred by accident, but through a means of "herding and clubbing", Corporations and Government working together or independently take steps as a means to manage and control, so that personal information can be released with impunity. Soon after this I discovered that Intelius, a west Coast company had release false age information, and had made that information public,

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[2] In these instances of on the job serious privacy intrusion and threat a message of we can do what we want you cannot do anything about it has been conveyed. This has become more starkly clear after the conduct of family court after initial issuance of Ex Parte Orders.

so that companies without having to refer to background check can deny a job application, and later as I have shared more detailed information with FBI, Choice point along with Pacific Gas and Electric. Progress Energy as a process of gathering visitor information working with District Attorney's office has even taken photocopy of Driver's License. FBI cannot ignore this and its relevance to serious employment discrimination, and other use with ulterior motive.

After seeing an attorney many people have wondered why and a more serious retaliation process has set in. It is during this time in summer of 2007 after I had gone to see an attorney, subject of which is attorney-client privileged ***that a family lawsuit was brought against me***, in which I was defendant. Only in a jury based trial details of what had occurred in all these situations why so can be provided.

Hearing has been conducted in two situations in the state of North Carolina. First when family court illegally conducted Ex Parte, as part of ten day return hearing in July/Aug 2007. Later, after the family lawsuit had been dismissed (see Appendix 1), in 2008, after I had continued my process of discovery to file a complaint against multiple parties, and after I had contacted Senator Feinstein's office with Harry Berezin as point of contact, the State of NC tried to incriminate e with most serious offense to create fear. After dismissal of family lawsuit, all parties were aware that I now had to expose illegal conduct and constitutional violations of family court and many parties may have participated in this initial family lawsuit, which definitely include local schools (because retaliation of

my complaint), Progress Energy, and many other parties including her attorney (because of Extortion demanding real estate, perhaps including district attorney), and federal government (FAA, Airtran cancellation, since they have not responded). With this background, State of NC tried to incriminate me with most serious offense, "Not for Release" from Judge Brewer. To begin with I had done nothing wrong, officer Kerr as the result of the case shows brought false charges, and did not even appear under subpoena, **then why was NC trying to incriminate me?** The State of NC fully knowing my innocence Conduct of State of North Carolina was an Assault on my Integrity and human dignity. This case went unheard, getting dismissed when State knew Cary law enforcement had falsified their citation, they did not appear even under subpoena and Judge Chasse who order witnesses (my kids) to be present never came, and without conducting hearing on the day of the trial, case got dismissed. Fundamentally altering the course I would have taken. In the mean time, my wife had opened another family case.

Since Justice Chasse had order witnesses to be present, and I would have consolidated the dismissed family case, because of organized crime in family lawsuit, Airtran had cancelled tickets without authorization, and I had done nothing wrong, and State of NC had assaulted my dignity. Further, someone may have entered my house under false pretext[3] the day law enforcement officers gave me falsified citation. It is my

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[3] Someone did visit indicating some work needed to be done on the house, whether he was really there to fix the house or some one else from law enforcement need to be determined

contention the fact State of North Carolina tried to incriminate me indicates, dept of Justice may be helping those who are trying to retaliate to cover up their mistakes, so that my finances and options that I can take can be controlled, and family court through Ex Parte and non jury trial have participated in severing priceless parent child bond, using my children to limit the options that I can take.

As such DOJ family court and State of NC are a party to aiding organized crime. The State of North Carolina, the day ordered witness did not show up, law enforcement did not show up even under subpoena were aware of both unheard family case, and dismissed family case. Since I was innocent, how can they dismiss the case without hearing, or since more than one occasion my wife had brought a lawsuit, and since I was found innocent how can they let my wife (plaintiff of family case go) without rendering proper justice, unless, my wife has been used to secure illegal Ex Parte, falsified lawsuit, or some other serious unconstitutional conduct. It should also be noted District Attorney's office participated in obstruction of justice when they threatened when I wanted to take deposition from my kids. Now it is known, District Attorneys office may have also participated in Progress Energy discrimination, since both wake county schools and Progress Energy (later in 2009) had introduced same or similar visitor check in system. It is coordinated calling which has occurred in numerous instances both in Raleigh and California which show District Attorneys office may be participants in minority harassment and crime, which involve family lawsuits. This may include extortion, based on the way

my van was sold, and my wife demanded real estate. A jury trial will provide more details related to this.

It is then, in order to control family, the family case which had been dismissed and closed was tried to be reopened using incomplete falsified information, indicating existence of "counter claim", so that Debra Sasser can again control my relation with kids, after I had contemplated legal action. Justices must note, an unopened relevant another family civil case was in existence then. As such, as of Oct 13, 2008, list of parties who have participated in organized crime have gone up from prior corporations, schools of Wake county, federal government, FAA (Airtran) to include Family court and District Attorneys office.

In the mean time in 2009/2010 definitive discriminating has occurred with US Patent and Trademark office indicating that I do not have a masters degree. In fact I have not one but two master's degree and my qualifications have been reviewed by my federal employer. This discrimination has occurred after I was asked and had sent my previous government SF-50 form which has social security number and other details

Again job discrimination has occurred with FAA and Progress Energy with three onsite interview and five phone interviews. Details of job discrimination, retaliation, career management and control will be shown in a Jury trial.

Since unequal treatment in court violating constitutional guarantees, retaliation and organized

harassment and crime has became obvious, and therefore I went to see FBI so that they can provide timely help, and when he did not I escalated the issue to both Attorney General and Office of Presidency (both current and previous administration). When unequal treatment persisted even in federal court in Raleigh where no inhearing was conducted even after making an emergency call (911), when facts show actual emergency existed, then a federal case was filed. Since no hearing has been conducted even after filing a federal lawsuit, and appeals court have again not given an opportunity for me to be heard, I am filing this writ of Certiorari.

No hearing is being conducted when I am filing the case. Hearing is being only conducted to penalize me of my liberty when I have done nothing wrong through Ex Parte and wrongful complaint without providing me an opportunity for jury trial, when facts show I had intentions of filing a complaint.

It is my contention that on Oct 13, 2008 Justice Chasse of Wake County NC had ordered witnesses (my children to be present), and District Attorney Jim Ferguson, had issued a subpoena (which I did not know then, but now I know) for Officer Kerr of Cary, Wake County, NC and other who had issued falsified complaint to be present. Neither witnesses were present nor was Officer who issued complaint present, even under subpoena. It is my contention that Jim Ferguson who fully knew existence of other case, my innocence in this case and other cases did not continue with hearing to find what really had occurred. I contend that State of North Carolina tried to

incriminate me with serious consequences fully knowing it was related to family, and family court and district attorney's office have used my wife Chitra Murthy not only to secure Ex Parte through devious means, but to hold my life and liberty in check, as part of retaliation. There is a nexus among local schools, law enforcement, and even Progress Energy, and based on numerous other coordinated events I intend to show there is organized Crime.

Debra Sasser is a participant in organized crime process of use and abuse of Ex Parte, use non-jury civil procedures accusing criminal intent (when I had done nor thinking anything wrong), and delivering unfair justice. Family court and/or attorney have participated in canceling my children's airline ticket brought by me, through violations of breach of data, federal rules and guidelines. I had done nothing wrong and I had full and legal rights to purchase ticket to take them to California. There was not emergency, I was at home. If I had been called I would have explained the purpose of trip. The family court has abused Ex Parte Procedures. Facts show that when I responded to the complaint in time, neither the attorney nor litigants responded to the complaint in a timely manner. More than one year of the time limit of Ex Parte had expired. A mediation session was held, in which since I had done nothing wrong, I did not agree to any terms of the litigants. But as soon as the court ordered case for trial, the attorney and plaintiff of the family case applied for voluntary dismissal. Since timely trial was not conducted, and the litigants did not respond to their own complaint, my airline tickets have been cancelled illegally, a FAA complaint which is a legal matter has been launched.

Not conducting a trial in a timely manner shows the family court has abused power and later just to penalize the litigant Debra Sasser to cover her mistake is indicating a "counter claim" is there and therefore the case is in existence, so that she can control, penalize and demoralize me, and I believe the case details in a jury trial will show, Debra Sasser and her attorney have brought a falsified lawsuit just like the State of NC and there fore Debra Sasser has party to organize crime and FBI and Attorney General should have already taken legal action on her.

**Because of the above, Plaintiff State that defendants have not provided timely help and resolved the issues:**

1. His fundamental rights, liberty and pursuit of happiness has been violated, ,

2. He states that based on the events and unfair actions of the US courts which have already occurred that US Courts and multiple parties have not applied and rendered fair and proper justice and have violated following provisions in US constitution:

    - Trial by jury
    - Equal protection guarantee to act faithfully to rendering justice impartially To administer justice without respect to persons
    - Equal justice to poor and the rich
    - Opportunity to question or confront witnesses in a court of law

- Have participated and aided obstruction of justice,
- By denying motion to seal have aided organized crime fundamentally destroying my case and justice
- Have ignored mistrial scenario

3. The federal court in North Carolina by making the case public while there is organized crime, by not conducting any hearing yet issuing ordering, not providing plaintiff opportunity for clarification, not conducting Jury hearing have hampered Justice.

4. Motivation of forced family situation is to create family insecurity and to hamper with judicial process plaintiff was contemplating. FBI, the state of NC and family court are participants in organized harassment and crime.

5. Democratic and Judicial process, Checks and Balances are not working for We the people. and there is rampant disregard to constitutional process since checks and balances which is needed to implement working constitution.

# Appendix
## Section 4
## ADDITIONAL QUESTIONS

1. Does the Supreme Court recognize that understanding modus operandi of organized crime which involve both employment and family matters is difficult for individuals to detect and to take action since they are busy in their own lives (indicating not being able to pay scrutiny and attention), depends on capability of the individual(s) affected, and if major corporations, Dept of Justice itself along with other federal government organizations themselves can be shown as a party to discrimination does it not become even more difficult for the victim, [4] and if

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[4] as exemplified by case material which shows that the plaintiff of the federal case was a defendant in a family court case which got dismissed, but plaintiff who had gone to see an attorney prior to the family lawsuit (proof of which is in a sealed envelope with US court of appeals and is attorney-client privileged material), continued his discovery process by contacting Senator Feinstein's office and it is now known (and can be shown to jury) that obstruction of justice and retaliation has occurred when State of NC trying to incriminate him, which also got dismissed and numerous prior events such as my son gone missing (1997), discrimination and job threat (EPRI, Progress Energy, GE, Federal Employer 1997 – 2004), wife left with broken leg in soccer field (2000), Job discrimination by multiple corporations (NASA, USPTO, Progress Energy, PNL 2004-2009), accident in Apartment complex related events and what they tried to do (2006), deliberate course material to my children in school, and incitement by multiple parties

so, does not Dept of Justice, appropriate courts and supreme court want to know what factors affect minorities, who would benefit from such a scenario, how discrimination occurs, when (or how long does it take) will an individual learn what has occurred, what are the lessons learnt so that can be implemented through recommended policy changes and enactment of laws (by appropriate entities)?

2. Did defendants condone acts of FAA civil rights complaint related to job discrimination (office of Dianne Feinstein also was notified), Airtran who without notice or explanation for canceling my airline tickets without authorization; have not responded to my phone call and two written complaints (and FAA complaint), Specific individual in Patent and Trade Mark office has discriminated in hiring based on qualifications which I can show I posses, issues related do Wake County schools, family court and State of NC when significant evidence of abuse of Ex Parte, wrongful citation, falsification of facts in order to make active a dismissed and closed case, and obstruction of justice evidence had shared with them, and instances of organized harassment and crime which is the subject matter of this Write of Certiorari where Dept of Justice itself is a party (ex: mistrial and obstruction of justice in NC courts) ? Can

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coalesce and point to involvement of many parties to harassment for gainful benefit. It is also critical to note what parties benefit from information sharing (and how) in this scenario.

defendants ignore the acts of the court who have tried to dismiss the case without even providing a hearing let alone a jury trial? Will this not show Defendants have not protected instances of constitutional violations such as equal protection guarantee, equal justice to the rich and the poor, jury trial when one is demanded, unequal treatment because of retaliation by more than parties which has lead to organized crime, and by not providing a court trial. will it not further worsen already existing organized crime?

3. If there is a case consisting of multiple defendants and if the local federal courts has jurisdiction over one of the defendants (ex FBI) and all of its broad spectrum of constitutionally protected legal issues it must protect, can that defendant then raise subject matter jurisdictional issue and can assigned judge fully knowing the implications summarily dismiss the case under subject matter jurisdiction, even without providing an opportunity to be heard?

4. Does the Supreme Court concur that both separation of powers among different branches of government and checks and balances are fundamental to the workings of democracy, and it is not these statements themselves, but how these features are implemented and what metrics can be used to verify if they are being applied in a fair manner and working properly is required, and further is it not when legal issues are brought to the attention of the government and what actions they take and what the end

results are could be a window of opportunity to test the true workings of a democracy? What if multiple instances involving individuals, institutions, corporations, and /or government agencies are working without paying attention, ignoring laws and may even may have transgressed them even when they are brought to their attention, and if it can be shown in a Jury trial such instances of ignoring of laws depends on factors such as, "who is seeking justice, perceived capability of the individual, persistence. endurance, financial situation, and many other factors such as retaliation, age, nationality, religion to name a few ", (all of which are violations of constitutional guarantees) will it not point to a process deficiency that true checks and balances may not be working, but something else is such as "***trading of benefits which may be one of the modus operandi of organized harassment or crime***", and is it possible it would be difficult for that individual to seek justice in such a scenario, and if in this context that individual or victim approaches a Superior Court after his case has been ignored by other courts and /or not having been treated fairly will the Supreme Court then provide appropriate relief through a judicial remedy such as providing a speedy, and just jury trial with appropriate interim relief and under oversight?

5. While constitution and the laws are meant to protect rights and the just conduct of both individuals as well as institutions, but transgressions may be occurring with no

accountability indicating constitution and laws are just words and when a legal issue is brought to the attention of courts, can then justice depend on who is seeking justice? Does not constitution say equal protections of all peoples? Can a judge render unfair justice, and if court of first instance can be shown to have participated in illegal conduct and have rendered unequal justice to begin with and later additional evidence point to conduct the court of first instance, the attorneys, and the district attorneys themselves have participated in organized harassment and further still Federal Bureau of Investigation do not take timely action, can victim then demand jury trial to bring all parties to Justice? In all these instances are there not public individuals and institutions like office of president, FBI and attorney general meant to uphold justice? And what if, when legal issue is brought to their attention courts do not provide a forum, either because they can hide it, get away with it, or if they are obligated to the very same institution the victim is claiming for wrongful conduct and if they take an action against those parties then they retaliate and in turn bring some other hurdles, that is if an issue or complaint is brought against another party, then those institution which is supposed to help "trade favors" instead of bringing parties to justice? And if the very same institution which is meant to protect and render fair justice is party to wrongful conduct is not Jury trial a matter of right, and can be demanded per constitution?

6. If an individual is subjected to harassment by many parties which include unequal treatment by department of justice itself, and it takes sometime for the individual to really understand of sequence of events, occurrences, why so, or modus operandi, ***can he not bring all relevant parties to justice***, in a manner individual knows how (after Federal Bureau of Investigations fails to act), when there is loss of trust in the institution which renders justice itself? Since learning, understanding, organized harassment and crime especially when "intent of multiple parties can be shown to use family court to use family members under conditions of induced threat after securing orders ***Ex-Parte*** under falsified, non-verifiable facts with no jury, control finances to control employment, at work and employment discrimination can be shown to Jury in a trial" discovery takes time, what rules govern this scenario? Does Supreme Court provide latitude to bring all parties to justice to really understand what has occurred, since it affects millions of families, since I have not backed down even after case dismissal, because of later events?

7. According to uniform law of justice and opinion of Supreme Court, is there not something seriously wrong related to the facts and method used to secure Ex Parte (which resulted in issue of temporary order resulting in initial severing of parent child bond ) and conduct immediate jury trial when one was demanded in the event an order was issued for trial when defendant

answers complaint but plaintiff and her attorney does not answer to their own complaint within specified period of time, instead the attorney motions the court to withdraw from the case which again is done Ex Parte, while informing me she is "dropping the case", and later plaintiff submits voluntarily dismissal? Does Supreme Court think in this instance, the family court should not have allowed the attorney to withdraw (since I was not informed of this) and ask why they have not answered the complaint to begin with? Should not FBI investigate in such a scenario since something seriously wrong?

8. How can anyone claim that there is counterclaim if all items in the case file, had been discussed during ten day return hearing, again later during mediation (which the new attorney or Judge have not referred even under advisement), further court acknowledges no parent training class is required since case has been dismissed, and court informs both parties that case has been dismissed and closed, how can any item be open and there is a counterclaim?

9. Since all people are created equal, if attorney representing the client can be shown to have falsified facts, have used incomplete and selective information, and the judge accepts this fully aware of its implications, can the litigant or defendant in broader context of retaliation and organized crime, bring these parties to justice, and state has tried to incriminate by false

complaint and had dismissed its own case in the interim? What if Federal Bureau of Investigation has been shown facts of both state and family court case and they have ignored these verifiable facts and not taken any action and can the affected individual file a legal complaint in a federal court, since FBI has failed to act?

10. Can State bring a falsified lawsuit just to incriminate an individual, threatening him during discovery process, law enforcement assault on the dignity of the individual, and can state without hearing dismiss the case, even when the law enforcement who falsified lawsuit do not show up for hearing even under subpoena?

11. Does the court concur retaliation attempts can be shown through Jury trial, where courts disregard to Pro Se point to "hidden court decision management where major corporations and other government organizations can be participants such as DOD, FAA, NASA, USPTO, Progress Energy, Pacific Gas and Electric, Northrup Grumman, GE among other.?

12. Why when I had actual emergency, have even made a 911 emergency call, informing call center representative where I was, and where I intend to be after the call (federal court), no one showed up and no hearing was conducted? Why no one came to take down my complaint, so that I could

provide additional information to the judge, since I wanted the case to be sealed? Does the court agree that law enforcement should have come and visited me, and a hearing conducted?

13. Should a law enforcement officer or 911 responder have visited me, taken down my complaint, and should the court have conducted a hearing in an "organized crime context and scenario" which my case is and was?

14. Did the federal court made a mistake by declining to take my initial case of plaintiff vs others, under motion of seal, where document in my motion to seal would have contained list of parties? Does the court also think, standardized form may have limitations and Clerk of Court must recognize and provide appropriate alternatives or accommodate by taking material presented till all circumstances are understood?

15. When a litigant claims unlawful conduct by multiple parties, motion to seal, can a court deny motion to seal and provide an opportunity to be heard, till all material that litigant (or plaintiff of this case) wants to share has been heard by the court?

16. By denying motion to seal, does to the Supreme Court concur, irreversible damage has occurred to the standing of the case, changing the discovery process, and outcome of the case?

17. Does the court think, Mr. Mathew Fesak, an attorney in US federal court assigned to Raleigh, NC has legal right to represent office of President and Attorney General? Should Mr. Mathew Fesak, have answered this question, when asked of him?

18. By allowing Mr. Mathew Fesak of US Federal court in Raleigh to respond and later not answering question asked about his eligibility to represent other parties, does the Supreme Court think, federal court in Raleigh has a made a mistake and therefore has altered case outcome and timely resolution of the case.

19. Does the court concur that an US attorney who may have earlier clerked under specific judges take up a case representing the government as an attorney having in the past clerked under the same judge? Does the court think that a US attorney who knows a judge (having earlier worked as a clerk or some other means) has unfair advantage against a "pro se" who does not know the Judge or interacted with that judge earlier? If this issue is cited by Pro Se (or plaintiff of this case) what should be DOJ's or courts response or action?

20. When Dept of Justice and courts are party to unfair delivery of justice, and issues have occurred in the presence of systemic events of harassment and crime, leading one to belief there is presence of organized harassment and

crime, and if FBI, attorney General and office of president has not taken known timely actions or bring parties to justice does the Supreme Court concur that a proper course to seek is a legal remedy through a Jury trial? If there are multiple parties, and in multiple states and issues are related to family, employment and alternative life sustenance, are not federal courts proper venue? If this complaint is lodged in the presence of organized harassment and crime, and a motion to seal request has been made, and the court declines it has not the federal court permanently altered the case being filed? What if family court and North Carolina state district court, and later FBI (through their inaction) are parties to this harassment, and without providing opportunity to be heard what if federal courts themselves a party, in the backdrop of numerous individuals, corporations, and federal employers who were original parties to a legal complaint, that plaintiff of this case was trying to make, prior to family case and cascade of events following after this, should federal court not have provided immediate hearing allowing plaintiff to be understood and provided relief sought, if there were any falsified facts had been utilized then can court would have ordered immediate enquiry to the finding of facts, such as Ex Parte and family case issue?

21. Objections and appeals may be a legal remedy if initial ruling is considered unfair, but if unequal justice with extremely serious implications has occurred in the court of first instance, and

complete loss of trust has occurred in the halls of justice, what is the assurance that superior courts or case on appeal will do justice? If in this context when a Jury is demanded, since constitution provides such a remedy, and if parent child bond is priceless in the case of family case, can a court refuse? What is the legal remedy and repair of lost damage if irreversible irreconcilable damage has occurred to parent child relations? What steps FBI should have taken if all of these issues have occurred under the category of organized harassment of crime?

22. Since court is nothing but a building or place to conduct hearing, can court's ability to hear any case (in state or out of state) can be expanded by providing them extraterritorial domain provisions just like embassies so that one can meet requirements of constitution of providing timely justice are met? Since Judges and jury are all citizen of United States, can one not expand the courts ability to hear a case by simply bringing or assigning an appropriate judge with the expertise to conduct the hearing from a pool of Judges instead of being assigned to specific courts, and Jury who are not "experts" identify what are true facts irrespective of the state? If such an arrangement can be made, and has not been so far, whose deficiency Supreme Court thinks it is?

# Appendix

## Section 5

## EVIDENCE 1

## Conduct of Government

Stephen Breyer has made a speech in Yale in 2008/2009, Will people follow the courts? To understand this we must first examine conduct of the government "in the halls of justice of WE THE PEOPLE", if "Government tells WHOLE TRUTH", and conduct of courts in this process to begin. In 1972 the Tuskegee Study **experiment** was brought to public attention not by the government on its own admission but by a whistleblower. However it is not until Oct 2010 public will come to know of **similar experiments conducted in Guatemala**, who are not even US citizens. As such to begin with US government did not tell truth on its own, but more importantly even after "initial truth came out from an individual", ***government did not tell the whole truth***, then, but years later. As such one can infer various branches of the US government who are on the witness stand of We the People may not initially tell the truth, but even after "some one risking their life tells truth, "Government does not tell the whole truth". So equally important question one must ask is, "do courts render fair justice" so that "later one can ask, "will people follow the courts".

After starting with conduct of government under oath, to understand more details of workings of democracy and supporting judicial process reviewers of this case are advised and recommended to review and refer to the following easy to find online reference videos.

(i) "Majority can be wrong": Conversation of Phillip Deere
(ii) Secret Govt: Bill Moyers
(iii) Justice For Sale: Bill Moyers
(iv) Theocracy Watch Dominion Theology (Joan Bokaer of Cornell University)
(v) Video: Fog and War: Errol Morris.
(vi) Nobel Lecture by Harold Pinter
(vii) The War on Democracy by John Pilger and Related videos,
(viii) Trials of Henry Kissinger: Christopher Hitchens.

In one of the above references, Trials of Henry Kissinger, one reporter provides clear explanation what is a State Secret. "Secret are those instances in which Government may have committed an illegal and or unconstitutional act". These detailed video references are illustrative on the conduct of the government, issues with judiciary and workings of the government. In the same manner, DOJ covers-up litigant complaints, by not providing a forum for a jury trial and not even a chance to be heard in court by issuing "per Curium orders which have no legal precedence standings.

The subject of this writ of Certiorari is "Are fundamental checks and balances working in a functioning democracy? Do government and nongovernmental institutions follow the law, treat people equally, and will Dept of Justice proper forum for the litigant to be heard and render Fair Justice? Based on specific experience of the plaintiff of this writ

of certiorari, the answer is **Answer is no**. Not all **people are treated equally.**

# Appendix

## Section 6

## EVIDENCE 2

## Unequal Justice

### *Court Makeup and Consequences*

The subject matter of this petition is not borne out of "displacement", that is Plaintiff is not happy about some issues either an earlier court judgment or life's misgivings, so he is blaming something else, and the complaint is a result of his displeasure. Plaintiff first likes to record this is not the case, as he already has communicated in his earlier court submissions. An impression has been created that American Justice System is finest in the world, but stark reality in my first exposure provides me with a different picture.

More than one scenario exists in my case for me to be not treated fairly, retaliation, age, national origin, religion, use of significant value business ideas and patents so that by creating uncertainty beneficiaries of wrongful conduct can do what they want.

Since no hearing has been conducted in federal courts in spite of multi-state, multiparty litigation, I need to seek justice with Supreme Court. But if I approach Supreme Court some fundamental questions come about.

- Make up of Supreme Court
- Conduct of Supreme Court (intentions)

It is worthwhile to refer to Appendix 4 and the following to references:

- Justice For Sale: Bill Moyers
- Theocracy Watch Dominion Theology (Joan Bokaer of Cornell University)

**Make of Supreme Court**

Since it is the Office of the President which is responsible for the make up of the Supreme Court, and

1. My case is based on numerous constitutional violations one of which is related to civil rights, and may include bias to a specific religion, but is not solely the reason(not treated fairly, retaliation, age, national origin, religion, use of significant value business ideas and patents). With this as an initial basis (not the only), can one raise the following questions, "Power to nominate the Justices to Supreme Court is vested in the President of the United States and appointments are made with the advice and consent of the Senate "
2. I presume they (Office of President and the Senate Judiciary Committee) have to follow EEO (Equal Employment Opportunity) and AA (Affirmative Action) guidelines which are part of the laws of USA.
3. However there is a bias in the makeup of the US Supreme Court to specific religion (based on general online information).
4. There is a bias in the current makeup of the Supreme Court to specific subsection of Abrahamic faith – Catholicism and Judaism. There are no Judges who are of native American

descant or religion nor one who is of non-Abrahamic Faith (one who is not a Muslim, Christian or of Jewish, Hindu, Buddhist or Sikh for example ) tradition. Also are no Judges of Protestant denominations, while competent Judges from this group could have been found as well.

5. Based on the above facts, critical arguments can be raised what if there is bias, in office of president and that of senate which play critical role in selection of Judges, where accumulated overtime specific bias in the makeup of Supreme Court exist? And what if the biases exist to achieve political objective, instead of true justice.
6. Based on the above one can also argue if the current makeup of Supreme Court can hear fairly and impartially, civil rights and EEO cases or any case for that matter. The makeup of the Supreme Court may also point to "intent of the type of cases that be brought before the Supreme Court to be heard, and those cases which the court will elect or "vote" to be heard.
7. In the above context, is it fair to ask, the issues of the "age or decade" and makeup of the court, and the bias in the makeup of the Supreme Court all have significance related to issues that it will consider important and deliverance of Justice, by Dept of Justice on those cases which it selects to hear, is it not?
8. This line of argument in turn point to process deficiency in putting to practice true "checks and balances" in working government in a Democracy and ethical conduct of those who seek public office. Further, recent speech by Justice

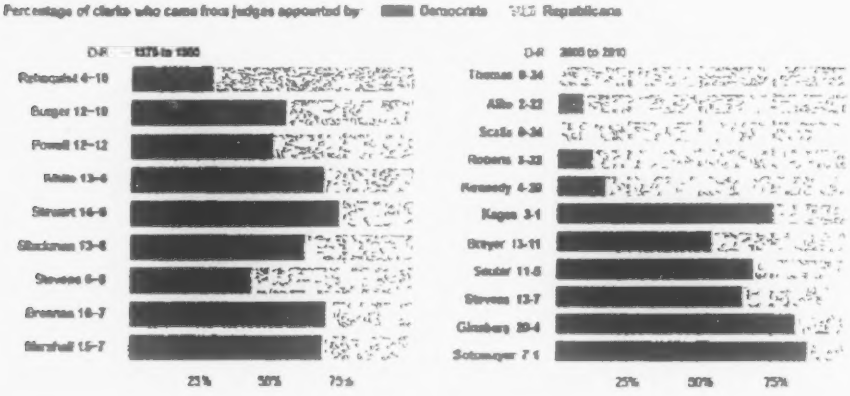
Breyer to New York historical society has given valid ***explanatory evidence*** or argument related to bias of US office of Presidents, conduct of public officials relative to districting and voting to gain influence and control of congress are additional points to be considered. But events and specific instances of my job placement and why so will provide more details related to these points, in a jury trial.

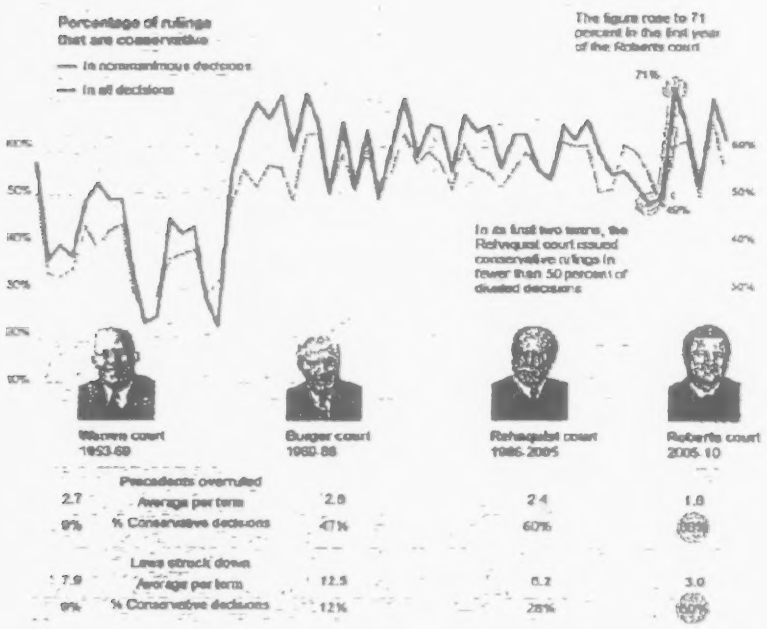
9. Since, I need to appeal further to "Supreme Court" which does not have "limitations to hear the cases, especially so nationally important cases", another set of questions which automatically surfaces are does the current **makeup of the Current Supreme court** provide a hindrance to Justice, and who is eligible or can answer the above questions without bias?

10. Further noting these questions have been asked by me quite a year ago, and again submitted to this case file in Sept 2010, New York times published the following graphical analysis in their Nov 17th, 2010.

## Justices Are Long on Words but Short on Guidance

**NY Times Liptak Nov 17, 2010**

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11. Is it fair to ask referring to Liptak's analysis, there may be issues of some significance for court and various branches of government to to review? But does it also bring equally relevant issues related to conduct of specific Judges, related to hiring of Clerks of Court. Is there biases relative to "political affiliation" or "retaliation" since Justice Scalia and Justice Thomas have no democrat Clerks of Court while, Justice Alito, Roberts and Kennedy have less than 15% Clerks of Court who may be affiliated to Democratic Party. Have they violated employment laws, based on retaliation, especially so after Anita Hill questioning during Justice Thomas confirmation process and /or reasons related to religion or other factors?
12. The reason for bringing this issue is related to "Plaintiff's capability to analyze", and also "related to checks and balances in government". Based on the question posed does the court think Plaintiff may not be making "wild acquisitions", or "he may have some sound reasons to lodge a complaint" and as such one cannot discard his complaint, however complex or involved it may be? Checks and balances point to "bias in court make up which has occurred over time and what responsible public officials could have done to highlight and neutralize the issues.

**Conduct of Supreme Court**

**Intentions and Consequence**

**Scenario 1**

- It is instructive to refer to Dominion Theology documentation by Joane Boarker of Cornell University) and Justice for Sale by Bill Moyers, and other videos highlighted in the Appendix.

Let us look at a simple example; that a traffic cop is more likely to give ticket to those who runs a red light compared to speeding, while both are violations of traffic laws. In both situations traffic cops give ticket, but in instances of speeding it is quite likely that it is his or her mission for that period of time. Selection of period of time perhaps depends on traffic flows, time of day, seasons, and holidays to name a few factors.

Now turning our attention to more serious constitutionally protected guarantees, can elected officials and Judges ignore laws? Is taking oath just words to be repeated or something more? It is in this context another important point will be made. Court conducts hearings and rules on those cases brought to its attention. But are there instances, no such case is needed? What about situation where Judges give oath? Is it just repetition of words or should a judge giving the oath should also evaluate person taking the oath is able to deliver on the oath that is taken.

With this background, it is instructive for one to understand, that US constitution does provide clear demarcation of church and state. Numerous people have made comments about America and its religion, and numerous instances of those who are trying to transgress the boundary have occurred and is occurring. There are a number of people who go on to

say, they belong to a specific religion just send that message, to get votes while constitution guarantee is clear. For example two people of Indian origin governors while their parents may be non-Christian have made statements that they are Christian. While fundamental question about capability, peoples acceptance, what constitution says come about; what if individuals after they have taken oath make contrary statements. It is on record that Senator John McCain, has made contradictory statement about Christianity and US being a Christian nation. But important question which arises, unlike vote related issue with Bush v Gore, is related to National Integrity. In the current scenario of religious right movements, had Senator Mccain won in last election, what about his hidden intentions and comments on Christianity? Would it have crossed the Church v State separation and was or is he still able to take the oath regarding protecting and defending constitution? What about the Judge giving the oath, will he relay on his words, or must evaluate if he is able to protect and defend the Constitution including Church v State separation.

It is in this context questions related to Chief Justice Roberts come about. Did Justice Roberts, who should be prepared to give the oath fully evaluate if the two candidates who stood for presidency can take the oath. If not, could he have screened the presidential candidates list to only allow those who can? If he had not, had McCain won, if questions related to Church v State had been raised, did it affect national integrity or security, especially when US being most powerful nation in the world, and religious intolerance can have serious consequences to the rest of the world?. Just like

traffic cop scenario, it may not be required for a case to come to Supreme Court for the court to evaluate, is it not? Had Justice Robert not evaluated records and assertions of McCain was there a dereliction of duty on part of Chief Justice Roberts? In this scenario there would have been a different candidate from Republican Party and would it have changed the election outcome?

If there are a number of public officials who may not fully implement or abide by constitutional rights and duties how can one be sure, things are fine. Has any one taken legal action against George W Bush based on wrong facts related to war on Iraq? Did he make changes to law and congress and senate passed them with no comments from Supreme Court, and what if they are by those who may not fully believe in constitutional guarantees and protections? What about those who participated in Constitution restoration act? While passing an act may be legal, but what about intentions and purpose of these acts and those who tried? Are they constitutional and abiding by oath?

Comparison of Intentions

When I have done nothing wrong, thought of nothing wrong, how can court penalize my liberties using Ex Parte? Why was I denied Jury trial? Is this not unconstitutional?

While more serious intentions Church v State separation transgressions are there no one has taken an action, yet when I have done nothing wrong, my liberties have been curtailed. Does this not prove that I am less than equal? Again, is this not unconstitutional?

**Or is it possible, Supreme Court itself, can transgress laws through implications? Let us look at Red Mass**

**Scenario 2**

First I want to make sure that I state, I am open minded, and believe in pluralistic traditions.

Issue presented is related to implied link of specific tradition to a specific religion to one of the branches of government which evaluates various constitutionalities of laws, acts and transgressions – the Courts.

I believe the Red Mass, which some Justices of Supreme court attended under the guise of tradition, and may have taken oath, have participated and transgressed "church state" separation. They took an oath, in part – "....We believe in one Lord, Jesus Christ, the only Son of God,... He will come again in glory to judge the living and the dead, and his kingdom will have no end ----". I believe this violates "church state", with implied meaning and purpose as explained by Joan Bokear Dominion Theology cited earlier. This implies, Supreme Court is not final arbitrator of justice. It is as if, Hon. Secretary Hillary Clinton in a law suit which Supreme Court ruled in ***Citizens United*** may have to wait for final judgment at a later date. The oath talks about specific names and assertions, people of other faith or religion may not recognize.

I have no issues related to traditions. A nation, where founding fathers have drafted, Constitution, which represents the "collective consciousness or bible for We The People, which was not secured through miracles but product of great caliber", still have people of great caliber who can draft a "common prayer acceptable to all", which can be utilized if such a tradition is needed, is it not? If a tradition is needed to be followed, then should not that tradition use universally acceptable language?

By following above (Red Mass) tradition, is there not a bias in the thinking of Supreme Court. Is it not Supreme Court which should set standard for all of us to follow?

Now combining the above two sections, I have tried to show, is it not Office of President which over time provides candidates of Supreme Court and that current supreme court has a bias, and may have transgressed through intentions church vs state and may have over looked such transgressions with serious consequences, and whose responsibility is it that there is a bias? And if the checks and balances were working, then Congress and Senate would have fixed them and they have not, and do these factors point not point to serious flaws in governance in implementing checks and balance?

Since I have not been treated fairly and when I have tried to find what the causes of the issues are, and filed my complaint, my case is being pushed aside and hidden so that it goes unnoticed! Such is the phrase,

**EQUAL JUSTICE UNDER LAW (*FOR ALL*)**

184 (2)

Supreme Court, U.S.
FILED
APR 14 2011
OFFICE OF THE CLERK

No. 10-934

# *In The*
# *Supreme Court of the United States*

Arkalgud N Lakshminarasimha
*Petitioner*

Federal Bureau of Investigations
Attorney General
Office of Presidency of United States

*Respondents*

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**On the Petition for Writ of Certiorari**
**To United States Court of Appeals**
**For the Fourth Circuit**

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## PETITION FOR REHEARING

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## Rehearing Questions Presented

1. Can courts deny a process of judicial remedy claimed in this litigation where facts can be shown to Jury by holding public officials accountable when these offices they represent have ignored the transgressions of others brought to their attention which has affected the life, liberty and justice of the petitioner of the complaint?

2. When State knew or can shown to be so that local law enforcement had falsified complaint, when subpoenaed witness were not present, calendared Judge did not appear in court, can State then dismiss the case without providing defense an opportunity to be heard in court? Can State courts continue with other hearings the same day, venue and time without providing details and inform litigants what is occurring in the court room when assigned Judge was not present and by leaving defense in the dark?

## Table of Contents

### Petition for Rehearing


| | | | |
|---|---|---|---|
| 1 | Questions Presented | .... | ii |
| 2 | Table of Contents | .... | iii |
| 3 | Background | ... | 1 |
| 4 | Facts | .... | 1 |
| 5 | Constitutional Violations | .... | 10 |
| 6 | Conclusion | ..... | 12 |
| 7 | Certification | ..... | 13 |

# Petition for Rehearing

## Background

This matter comes before the court for rehearing. Supreme Court case 10-934 is borne out of a emergency 911 call, followed by a federal case in Raleigh, NC 5:09-CV-375-FL (NC federal) with a motion to seal. Emergency situation has not changed. Complaint claim family destabilization, employment discrimination and unequal treatment in courts have occurred and are aimed at controlling one's life, financial situation, liberties, future destiny and what actions one could take among other implied purposes, therefore constitute organized crime and government has not helped in a timely manner. This has resulted in irreversible, irreconcilable damage. The case has enormous significance for millions of families who are unaware cause of their misery or injustice. Petition before the court is aimed at seeking a level playing field and for "Equal Justice for All" to prevail.

## FACTS were Verifiable and not Hypothetical as US Attorney Claims.

It is jury which will determine facts, and if a complaint has been answered, not court which has not even conducted hearing. I have provided sufficient evidence in my already submitted petition, that there are fundamental issues in rendering equal justice, issues with checks and balance, government may not tell the truth in all instances, there is bias in the make up of the Supreme Court and issues

with process of cases it selects to hear. These assertions are based on facts and material I have submitted to the government. Supreme Court is required to answer to this and cannot ignore. Further, fundamental ethics issue is in front of the court. Court or Attorney representing the government can use selective information and ignore others, and without conduct hearing a judge can state case has been answered, and close the case without rendering equal justice.

Specific names, locations and situations which US Attorney was seeking has been answered (was already there with FBI)) in my petition, yet attorney is not answering, his name does not even appear in the docket even though he has been served. The petition for certiorari had answered to all objections raised by Mathew Fesak, US attorney, who indicates that he was appearing in a limited role, acknowledges Attorney General and Office of President have been served the complaint, but claim to represent all parties in conclusion of his **Nov 2009** response to order. When I have objection to this, none of the responsible parties have responded. As such fundamentally, how can an attorney with limited role capacity, represent all parties, and object to get case dismissed for all. Further, Office of President and Attorney General have ignored the Court order to Answer. Further Fesak has not answered the ethics question if he had clerked under presiding Judge. Since court has not conducted any hearing and denied my calendar request has put me "unequal before the court". Since only one of the three parties has responded, court has ignored the

responsibility and accountability of others, and has treated the petitioner unequally. This matter is explained in more detail later where Office of President has tried to resolve a legal issue of a friend and does not care to answer complaint legally brought to his attention.

When numerous parties, friends of court respond to Supreme Court docket, why does US Attorney Fesak, or Eric Holder or Office of President not respond? Further why names of attorneys representing FBI, Eric Holder and Office Of president who have been served are not in the docket? Why only office of Solicitor General in respondent's list and not others? Issues related to clerks of court, and checks and balance are clearly mentioned in my Petition. When questions related to this have been posed, processing of motion issues with Supreme Court has been posed why no one is responding? These factors amount to delay and attrition.

Because of organized harassment and crime, I had asked for motion to seal. Court could have asked the government parties to review, answered my complaint, conducted conference and then based on sufficient grounds could have then made information public, after providing an opportunity to be heard. Instead, government to begin with has denied motion to seal destroying my case. US attorney representing government says I have served FBI and not him, when FBI says they are represented by US attorney's office. All FBI had to do was give complaint to US attorney. More importantly, US attorney is representing FBI, and I have given

specific names and corporations and event details, and attorney claims, of "hypothetical unnamed parties". This is blatantly false statement, from an attorney representing government which includes FBI. I have given sufficient reasons in my petition why checks and balances are not working, and there are court support system issues. This fact combined with Fesak representing government in limited role, does not WANT TO DO THE WORK to meet with FBI to verify facts, other two parties who have not answered complaint at all, and lower COURT WANTS TO IGNORE my case without hearing. These are sufficient reasons for Supreme Court to reverse lower court decision and approve my petition. I also have shown to Supreme Court, government even under oath, does not tell TRUTH which I have shown to be fact in my Petition for Certiorari and right here as well.

US attorney in Nov 2009 response, cites "asserts claims against parties against parties other than United States", "Government has no authorities against hypothetical unnamed parties".. My petition provides clear names, organizations and associations. As such this claim is again blatantly false and wrong. A hearing which I have demanded in lower court could have clarified this as well. Just like in courts, US patent office also has issues which deliberately discriminates individuals like me. There are not one but two specific issues with Patent office one about administration (evaluation part is separate), and deliberate employment discrimination in which I have provided specific name and basis of discrimination. Again Government and US attorney

are wrong. In fact my petition of certiorari provides examples of what I would have proven in a jury trial. Parties representing the government deliberately have ignored these specific instances and have not answered. If they had answered, it would have contradicted their claim, again proving Supreme Court must reverse the lower court decision.

US Attorney Fesak says petitioner's complaint is "vague", states, "failure to plead specific time, place or person in the alleged conspiracy" is fatal deficiency. This is totally wrong. US Attorney, FBI or other government parties have not reviewed material I have provided. Specific issue related to US mail is in complaint, specific individual and organization involved in employment discrimination is in complaint, more seriously numerous violations related to "Ex Parte family court order, conduct of court, NC State who tried to incriminate me" have specific names of judges, attorneys, events, law enforcement officers who did not even appear under subpoena are all verifiable events and facts. Therefore my allegations are not "conspiracy based", but based on "more serious constitutional violations". Further specific sequence of events related to "auto accident" is there. Issues related to and surrounding this is most serious obstruction of justice and organized crime, where "school courses given to my children have coincided with serious allegation against my wife", and has occurred prior to family lawsuit, around the time frame related to my employment complaint, all of which are interrelated, consequences of which can be shown in trial. Mr. Fesak without doing his job, court which

did not conduct hearing has jeopardized my valid complaint without a jury trial and hearing. If this goes on then millions of families who may get affected where coordinated individuals entities can take advantage of innocent where one cannot come to halls of justice for resolution.

In my family related case, I contend that numerous constitutional violations have occurred when Judge had used non-verified information as FACTs, and signed temporary order using Ex Parte denied demanded jury trial to verify facts. This was indeed proven to be so, when the complaint was not answered and when court ordered trial did not occur because of custody and complaint dismissal. I defendant could hold the court liable for signing falsified complaint, since I had not done anything wrong, otherwise why will someone would withdraw complaint as soon as court orders case for trial? Further, attorney representing my wife withdrew, and FAA and Airtran had cancelled my tickets without authorization, and serious breech of my personal information. During this time again, I have provided facts where schools, my wife have used children to falsify facts again, and the State has tried to incriminate me. FBI who have been informed of details surrounding this, and Mr. Fesak representing other parties by not answering my federal complaint and instead of providing "Equal Protection" is protecting the interest of organized crime which has occurred, and therefore US government, attorney General and office of president are accountable. Details related to and surrounding this is there in my Petition.

I have shown State of NC had issued a falsified complaint against me. Hearing related to this issued in July 2008 did not occur for nearly three months and in Oct of 2008 when Judge ordered witnesses and law enforcement officers to be present, and if the presiding Judge does not show up, the ordered witnesses and law enforcement officers does not show up, how can State dismiss the case without hearing? Therefore State of NC has denied equal justice; equal protection and many other constitutional violations have occurred. Additionally, it is my contention, had this hearing conducted, then I would have moved the court to show what was the true issue, who was at fault, and instead the case was dismissed without hearing. It is then I notified FBI, and when they did not care, I have notified progressively higher officials including Attorney General and Office of President. Most serious organized crime has occurred here. When Van accident issues prior to this, school issues of creating fear to children, deliberate employment discrimination issues are all looked in detail, I contend I can show to Jury these are linked and there is organized crime. FAA and Airtran complaint federal claims are part of this complaint. I also have shown I was treated unequally in Georgia, where I was sent home after serous injury and my car was totaled. Months later, insurance tried to give money. I have not taken. My wife was left with a broken leg in Atlanta. My son was suddenly missing when he was taken to a friend's house. When these and other additional "real facts" are taken where there is name, place, and who are there, courts cannot

ignore, and give me opportunity to be heard, in court in a Jury trial. Where some investigative work may be needed local law enforcement and federal authorities have not cared. Instead US Attorney Fesak, without getting details of what I have shared with FBI, is trying to use word like "conspiracy, sensationalizing.. etc". Intrusion at work while using computer and job threat at US Navy is not hypothetical. Asking for remote work authorization till one could relocate is not hypothetical. They all have bearing relative to work-life balance, where one could reside, and provide for family. Insurance, corporate benefits, realtors, attorneys may take advantage of situation. I will show to jury how I have been discriminated at work, what has occurred when I have found job, how by creating uncertainty, controlling information, and not treating equally serious issues related to family and employment have occurred.

I believe FBI knows all details of how white collar crime of sensitization, creating fear and uncertainty is used by organized crime, and local law enforcement officers use minority family mothers and children and exploit. Government is just ignoring, since I have gathered evidence and not giving up. Specific names, places and organizations have been provided. US attorney by stating that I am trying to bring hypothetical issues is doing so fully knowing his client Government has been provided and he is misrepresenting himself.

Supreme Court should note, not only fear was created to not just one but both children, and have

occurred more than once. Supreme Court should also note, when I wanted to take deposition prior to State case, to defend myself, NC district office called and threatened me. This is obstruction of justice. FBI and US Attorney fully knowing this cannot ignore my petition or pleading. Further, when I have taken my Daughter to doctor's visit, the very same process for which I have filed for patent for prescription service was shown in front of me. While I will not be discussing about evaluation of patent here and nor this complaint is related to this, it is about "Mockery of Justice" and "Mocking Bird Rendition", which I have provided in detail in my certiorari. The same has occurred, during another Doctor visit, when I have taken my son. This is related to his sensitive course work, and to create fear. Information related to school course work, van accident, and doctor's office visit has all been explained to FBI, Laura Tripp another US attorney and Mr. Fesak without doing work is just derailing my case, and ethics charge should be lodged against him.

All these explanations are based on verifiable facts, not "hypothetical" and contradict claims of US Attorney Mr. Fesak. These information and facts are also given in my petition. Why then, US Attorney, Office of President or Attorney General not responded to my complaint. I contend this is deliberate and unjust.

## Constitutional Violations

There is systemic issue relative to all people being treated equally. Specific names, locations, times where disparate set of events of discrimination, harassment, amounting to sensitization creating situation of uncertainty can be shown and has been shown, US attorney and federal court have tried to dismiss the case, because they are covering up wrong doing of others, and Supreme Court is ignoring a valid complaint and condoning serious wrong conduct of others. As such all my constitutional violations claims below are all valid.

a) Obstruction of justice during petitioning for a governmental redress of grievances
b) Equal Protection clause
c) Equal protection guarantee to act faithfully to rendering justice impartially,
d) To administer justice without respect to persons, equal justice to poor and the rich,
e) Due Process Clause
f) Denial of trial by jury,
g) Chance to question or confront witnesses in a court of law,

Therefore I clam:

I have submitted a rightful complaint 5:09-CV-375-FL (NC federal) which involve inter-related employment and family matters and disparate set of events have occurred, in multiple states and how various participants have controlled life and liberty, transgressed laws and obstructed justice when

judicial remedial resolution was sought by controlling my finances and have used family members through sensitization and indirect threat amounting to organized crime. In this situation I contend if elected public official and federal bureau of investigations when notified do not take timely action, I can hold public officials accountable, and show to Jury the facts to bring transgressors to Justice. When Office of US Attorney in Raleigh interfered with my complaint and denied my right for right for Jury Trial was nullified I contend this violated constitutional guarantees. While doing so, US Attorney has denied my right to seek Judicial Remedies or Justice has done so nullifying President's Oath to protect constitutional rights of individuals. US Attorney, a federal government employee also at the same time has nullified his oath to the constitution and has not treated me equally. These claims would have been clarified in an oral argument in Supreme Court, but denial of my petition either highlights known wrong doing by Justices of Supreme Court, or their unawareness of my petition prior to denial or deliberate retaliation issues with court processes which is part of my claim as explained in my petition highlighting bias in the makeup of Supreme Court.

Consequences of denial of my petition indicate that Office of President and its cabinet members cannot be held accountable in a court of law directly or through process of delegation in federal courts. Deliberate objections based on facts which I have shown to be false previously, after denying motion to seal also implies obstruction of justice and

interfering with my right to show to the court the modus operandi of organized crime which involve inter-related employment and family matters, and how various participants can control life and liberty, transgress laws and court can deny a forum for We the People to seek Judicial remedies. This denial has occurred when my petition document significant checks and balance issues, issues with Clerk of Court and evaluation of the justices on "Good Behavior through verifiable facts" had been sought.

While the President has tried to resolve an issue involving a friend brought to his attention through unrelated press conference, have not answered their complaint brought to their attention through court of law and therefore has treated me unequally and can be proven so in a court of law. If elected officials cannot be held accountable and if courts cannot provide a forum for such a relief, then there is no process or authority to enforce checks and balance and Constitutional right for Equal Justice would have been denied. This means President's oath to protect the constitution is void, since President can only defend the oath through process of delegation directly or indirectly.

## CONCLUSION

Consequences of Denial of Petition results in Unconstitutionality of Right of We the People to hold elected officials accountable, interferes with process of seeking judicial remedies amounting to Obstruction of Justice and /or checks and balances. **This is Unconstitutional.**

Therefore, I seek Supreme Court to approve my Petition for Certiorari, reverse lower court decisions and order courts to provide a forum for a Jury Trial.

Respectfully Submitted,

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## CERTIFICATION

The foregoing petition for rehearing is presented in good faith and not for the purpose of delay. This Petition for Rehearing is restricted to the grounds set out in Rule 44.2.

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Arkalgud N Lakshminarasimha